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NOTE

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2443rd MEETING

Held in New York on Wednesday, 25 May 1983, at 3.30 p.m.

President: Mr. M. KAMANDA wa KAMANDA (Zaire).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2443)

1. Adoption of the agenda

2. The situation in Namibia:
   Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
   Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

The meeting was called to order at 4.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:
Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the representative of Mauritius to take a place at the Council table.

At the invitation of the President, Mr. Ramlogun (Mauritius) took a place at the Council table.

2. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the President of the United Nations Council for Namibia and the other members of the delegation to take places at the Security Council table.

At the invitation of the President, Mr. Lusaka (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table.

3. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite Mr. Nujoma, President of the South West Africa People's Organization (SWAPO), to take a place at the Council table.

At the invitation of the President, Mr. Nujoma took a place at the Council table.

4. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at previous meetings on this item [*2439th to 2442nd meetings*], I invite the representatives of Afghanistan, Algeria, Angola, Australia, Bangladesh, Benin, Botswana, Bulgaria, Canada, Chile, Cuba, Democratic Yemen, Egypt, Ethiopia, the Gambia, the Federal Republic of Germany, Guinea, India, Indonesia, Jamaica, Japan, Kenya, Kuwait, the Libyan Arab Jamahiriya, Mali, Morocco, Mozambique, Nigeria, Panama, Romania, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey, Uganda, the United Republic of Tanzania, the Upper Volta, Venezuela, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Zarif (Afghanistan), Mr. Hadj Azzout (Algeria), Mr. de Figueiredo (Angola), Mr. Joseph (Australia), Mr. Hashim (Bangladesh), Mr. Adjibade (Benin), Mr. Legwaila (Botswana), Mr. Tsvetkov (Bulgaria), Mr. Pelletier (Canada), Mr. Trucco (Chile), Mr. Malmierca (Cuba), Mr. Al-Ashtal (Democratic Yemen), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Blain (Gambia), Mr. van Well (Federal Republic of Germany), Mr. Kaba (Guinea), Mr. Rao (India), Mr. Kusumaatmadja (Indonesia), Mr. Shearer (Jamaica), Mr. Kuroda (Japan), Mr. Wabuge (Kenya), Mr. Abulhassan (Kuwait), Mr. Burwin (Libyan Arab Jamahiriya), Mr. Traore (Mali), Mr. Mrani Zentar (Morocco), Mr. Chissano (Mozambique), Mr. Fafowora (Nigeria), Mr. Cabrera (Panama), Mr. Marinescu (Romania), Mr. Niasse (Senegal), Ms. Gonthier (Seychelles), Mr. Stevens (Sierra Leone), Mr. Adan (Somalia), Mr. von Schirnding (South Africa), Mr. Fonseka (Sri Lanka), Mr. El-Fattal (Syrian Arab Republic), Mr. Slim (Tunisia), Mr. Kirca (Turkey), Mr. Otunnu (Uganda), Mr. Rupia (United Republic of Tanzania), Mr. Bassole (Upper Volta), Mr. Martini Urdaneta (Venezuela), Mr. Mojsov (Yugoslavia) and Mr. Goma

(Zambia) took the places reserved for them at the side of the Council chamber.

5. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received letters from the representatives of Barbados, Cyprus, Gabon, Liberia, Mexico, Mongolia, the Niger, Qatar and Viet Nam in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Moseley (Barbados), Mr. Moushoutas (Cyprus), Mr. Davin (Gabon), Mrs. Jones (Liberia), Mr. Marin Bosch (Mexico), Mr. Erdenechuluun (Mongolia), Mr. Oumarou (Niger), Mr. Jamal (Qatar) and Mr. Le Kim Chung (Viet Nam) took places at the side of the Council chamber.

6. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received a letter dated 25 May from the representative of Jordan [*S/15790*], which reads as follows:

> "I have the honour to request the Security Council to invite Mr. Clovis Maksoud, permanent Observer of the League of Arab States to the United Nations, to participate in the consideration by the Council of the item entitled 'The situation in Namibia', in accordance with rule 39 of the provisional rules of procedure."

7. If I hear no objection, I shall take it that the Council agrees to this request.

It was so decided.

8. The PRESIDENT (*interpretation from French*): I should now like to make a statement in my capacity as representative of ZAIRE.

9. I should like, first of all, to tell Mrs. Kirkpatrick, the representative of the United States, how much we appreciate the competent way in which she directed the work of the Council during the month of April.

10. I welcome the presence among us of numerous Ministers for Foreign Affairs, who have come from Africa and elsewhere to participate in the Council's debate on the situation in Namibia and to emphasize the concern which the dangerous continuation both of the illegal occupation of Namibia and of the denial of the basic rights of the people of Namibia by South Africa causes to their Governments, with regard to the maintenance of international peace and security, in this sensitive part of Africa, which we hope will not become a pawn in the rivalries of the great Powers.

11. Finally, I should like to pay a well-deserved tribute to the Secretary-General, not only for the clarity, lucidity and courage of his further report on the implementation of resolutions 435 (1978) and 439 (1978) of the Security Council concerning the question of Namibia [*S/15776*], but also for his tireless efforts with a view to Namibia's rapid accession to independence. In our opinion, the Secretary-General is and remains a symbol of the aspirations and hopes of the international community, in general, and of the countries of the third world, in particular, for more justice, equity, freedom and equality in relations among nations and peoples. The high degree of conscientiousness and seriousness with which he discharges his responsibilities and which we perceive from the accuracy of his analyses of situations compel our respect and our admiration.

12. We pay a particular tribute to SWAPO, the sole legitimate representative of the valiant people of Namibia, for its political maturity, its spirit of sacrifice and abnegation and the assurance with which it has always tackled the question of a negotiated settlement for the independence of Namibia, placing its trust in the United Nations and in the commitment undertaken by the entire international community through the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960.

13. We also extend our congratulations to the United Nations Council for Namibia, the legal Administering Authority for the Territory, for the remarkable work it has done to free the Namibian people from the racist and shameful yoke of an obdurate colonialism and to lead the country to an independence in which its territorial integrity is respected and its much-coveted natural resources are safeguarded.

14. The question of Namibia has preoccupied the international community for more than half a century, because it was in 1915, during the First World War, that the Territory, which at that time had been under German administration since 1884, was entirely occupied by South Africa forces.

15. After the First World War, under the aegis of the League of Nations, South Africa's administration of the Territory, as everyone knows, was no longer consistent with the provisions of the Mandate: instead of developing the administration of the Territory according to the principle whereby the well-being and development of the Namibian people were to constitute a sacred trust of civilization, and whereby it was necessary to increase by all means the material and moral well-being and social progress of the inhabitants of the Territory while promoting their progressive development towards self-government or independence, South Africa enacted discriminatory laws and regulations, the obvious purpose of which was to annex the Territory. It put down the justified revolts by means of violent repression and established separate reservations where the Africans were supposed to reside,

set up a Legislative Assembly in which only whites were allowed to sit and showed every sign of reluctance to fulfil its obligation to report regularly on how the Territory was being administered.

16. Since that time, the constant and unequivocal position of the Namibian people, which determines today and will continue to determine tomorrow the way we treat this matter in Zaire, is summed up admirably in the following extract from a statement made by a leader in the liberation movement of Namibia who was captured by the South Africans:

> "We are Namibians and not South Africans. We do not admit today nor will we ever admit that you have the right to govern us, to impose upon us laws in which we have no say, to treat our country as if it belonged to you, and to treat us as if you were our masters. We have always considered South Africa an interloper in our country."

17. When the history of Namibia is written and posterity weighs or judges our acts, it is devoutly to be hoped that the present debate in the Council will not be interpreted as one more demonstration, in a long series, of a mission betrayed.

18. South Africa, at the time of the League of Nations, administered the Territory of South West Africa but violated the Mandate's provisions. That was the first betrayal of a mission, in terms of the League of Nations Mandate.

19. When the United Nations came into being in 1945, South Africa deliberately and overtly did everything it could to defeat the fundamental purposes of the trusteeship system that are clearly set forth in Article 76 of the Charter of the United Nations. Furthermore, South Africa's racist effrontery led it to request, in 1946, that the Territory be incorporated into South Africa.

20. That was the second example of the betrayal of a mission by a State Member of the United Nations under the complaisant gaze of those who had the power to ensure respect for the provisions of the Charter relating, through decolonization, to the maintenance of international peace and security.

21. On 14 December 1960, the General Assembly adopted resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. By the unanimous adoption of that Declaration, the entire world community undertook to lead to independence and sovereignty all those Territories which had formerly been colonized, for the limits of the colonization process had been reached, its consequences, as far as international peace and security and the harmony of relations between nations and peoples were concerned, having become irreconcilable and incompatible with the primary purposes and objectives of the United Nations, with the requirements of peace and with the efforts to establish trustful co-operation between nations and peoples.

22. That Declaration, which was the embodiment of our firm resolve to recover our freedom, also confirmed the justness and corroborated the legitimacy of our struggle, including that waged by SWAPO in Namibia, for independence. And if today we are able to act as sovereign nations and sit in the Security Council to debate world affairs—which are also our affairs—we wonder why the same should not be true of Namibia. The Declaration had the merit of replacing a colonial scenario in international relations by one of decolonization, something with which, whether we like it or not, we have to live in this last quarter of the twentieth century and the beginning of the twenty-first. For 23 years now, therefore, the consequences of the adoption of that Declaration have not yet had any effect so far as the Territory of Namibia is concerned.

23. That was the third mission betrayed, in terms of the Declaration which, 23 years ago, proclaimed the need to put an end, unconditionally and swiftly, to colonialism in all its forms and manifestations and called for immediate steps to transfer all powers to the peoples in those Territories which were not yet independent. But that Declaration is the legal framework within which the United Nations seeks to speed up progress towards the freedom and independence of peoples.

24. On 27 October 1966, the General Assembly adopted resolution 2145 (XXI), which terminated South Africa's Mandate over Namibia. Today, 17 years later, South Africa continues illegally to occupy Namibia. What is more, in his statement in the Council yesterday [*2440th meeting*], the representative of South Africa went so far as to assert that his country was still legally administering Namibia in accordance with the League of Nations Mandate, since no binding judgement to the contrary had revoked that Mandate.

25. For a fourth time, then, a mission was betrayed, in terms of General Assembly resolution 2145 (XXI), which was subsequently endorsed by the Security Council.

26. In 1978, five Members of the United Nations—not just any members, but five influential Members, which, in addition, happen to be the main partners of South Africa, to which they are linked by economic, trade, military and cultural relations of some magnitude—took the noble, praiseworthy and courageous initiative of drawing up a plan designed to ensure the swift liberation of Namibia within a year. They carried out an information campaign that finally mobilized the entire international community in favour of that plan. At the time, the plan was considered to be the only possible basis for a negotiated and swift settlement of the Namibian question. The world endorsed it and then the Security Council unanimously adopted resolution 435 (1978) approving a plan for a negotiated settlement of the Namibian question. We must agree that hopes were running high at that time.

27. But five years after the adoption of that resolution and the world-wide endorsement of the plan, the situa-

tion obtaining in Namibia is worse than it was at the breakdown of the pre-implementation meeting at Geneva in January 1981, and even as early as the time when SWAPO was recognized by the United Nations as the sole legitimate representative of the people of Namibia; the settlement plan itself seems once again to have been called into question by some as regards its being the only possible basis for reaching a negotiated settlement of the question of Namibia. At the same time, other problems not foreseen in the settlement plan have arisen for the first time.

28. The question which occurs to us is the following: Was that plan for settling the Namibian problem really intended to speed up the independence of Namibia as we thought, or was it designed rather to blunt the vigilance of the Namibians, of Africa and of all right-thinking peoples throughout the world, if not to hoodwink them?

29. And if, as we continue to believe, that plan was intended to accelerate the independence of Namibia, how can we avoid the unfortunate impression, based on the continuation of the present situation, that it might well have been dreamt up for other reasons, since it is perfectly obvious that those who promoted it were unable to ensure, to this very day, that it would be acceptable to South Africa?

30. Can a single nation, one that was itself outlawed by the international community, one that lives outside the law, the Universal Declaration of Human Rights and the internationally recognized norms of behaviour that govern civilized societies the world over, one that practises a State policy that is universally condemned as a crime against humanity—can such a nation really thwart the States of the world united against *apartheid* and drawing their strength from the principles of law and democracy? We wonder what makes South Africa and its friends behave as they do in Namibia, bearing in mind—as we must—that it was that same South Africa that was able to go along with the Lancaster House Agreements on the evacuation of Zimbabwe?

31. These are questions that arise out of the stalemate on the Namibian question and that require an answer.

32. The situation prevailing in Namibia, a situation characterized by South Africa's continuing illegal occupation of the Territory, in defiance of the relevant United Nations resolutions; by the denial of the fundamental rights of the Namibian people; by South Africa's repeated acts of aggression carried out from the Territory against such neighbouring African States as Angola—a part of whose territory is today still occupied by South African troops—Mozambique, Lesotho, Zambia and others I need not mention; by the endangering of trusting and harmonious relations among nations, peoples and ethnic groups in the world; and by the refusal to co-operate with the United Nations in general and with the Council in particular in the implementation of the United Nations plan—that situation represents a real danger to international peace and security.

33. If we do not wish to betray for a fourth time the obligations we have assumed towards the Namibian people under resolution 435 (1978) we must put further efforts into drawing up a precise time-table for the implementation of that resolution in order to speed up the advent of Namibia's independence.

34. Quite apart from the legal aspect of the problem, which means that nations must co-operate in implementing resolutions 435 (1978) and 439 (1978), resolution 435 (1978) entails a moral responsibility for the five countries that conceived it, bore it to the baptismal font and acted as its godparents. It is thus the duty of those countries to redouble their efforts to bring about the success of that plan in a reasonable period of time, while the Secretary-General, because of the direct responsibility assumed by the United Nations, should be requested to report on the developments in this matter before the next session of the General Assembly.

35. If the range of measures that the Council can still take to ensure the implementation of resolution 435 (1978) is diminishing, if the margin for action of the Council is narrowing with each passing day, that is not the fault of SWAPO, which has always shown great flexibility and political maturity; nor is it the fault of Africa, the front-line countries or the non-aligned countries. It is quite simply the fault of South Africa, which continues obdurately to refuse to co-operate with the Council in the implementation of the plan, consequently forcing the Council to resort to the extreme measures provided for in the Charter, all non-coercive measures and persuasion having been exhausted. Is that what the Pretoria régime wants, or does it know already that the extreme measures laid down in the Charter will never be taken in its case?

36. Does South Africa want peace or does it want confrontation? How can it seek confrontation and, at the same time, prevent this affair from assuming extra-African dimensions in this troubled world, in which the internal imbalance of such a sensitive region cannot help but affect world balance?

37. Is there anyone who believes that a situation of neither peace nor war in southern Africa can be considered an option in order to guarantee the interests of the white minority and consolidate its position in that region?

38. Are there still people who believe that peace in that region would not help to protect the legitimate interests of the minorities that have arrogated to themselves a position of strength in defiance of the most elementary rules of law and democracy?

39. If, on the other hand, it is true that South Africa wants peace, how can it turn a deaf ear to the voice of reason and to the appeals of the whole of the international community, which has proposed a peaceful and negotiated settlement in order to achieve a just, lasting and honourable solution to the problem?

40. Once again, these are questions that arise out of the stalemate on the Namibian question and that require an answer.

41. In Africa, and particularly in Zaire, we want the problem of Namibia, which is in essence a colonial problem, to be settled free from the influence of the East-West confrontation, and we are opposed to the introduction into the question of Namibia of alien elements that might alter its fundamental nature.

42. Resolution 435 (1978) must therefore be implemented without either modifications or constraints, and must be applied practically and with the realism the situation demands.

43. That is why we fully share the opinion expressed by the Secretary-General of the United Nations when he says in his report:

> "It is evident that the delay in implementing resolution 435 (1978) is having a destructive impact not only in Namibia itself but also on the prospect of a peaceful and prosperous future for the region as a whole. The delay also has an adverse effect on international relations in a wider sphere, adding to the prevailing sense of frustration and mistrust, with all that that implies for peace and security in the region.
>
> " . . .
>
> "Progress has been made in securing a large measure of agreement on the modalities to be employed in implementing resolution 435 (1978). In fact, as far as the United Nations is concerned, the only outstanding issues are the choice of the electoral system and the settlement of some final problems relating to UNTAG and its composition. The views of the South African Government on these problems are still awaited.
>
> "Unfortunately, moreover, the positive side of the balance sheet has been set back by the emergence of other issues which were neither raised nor envisaged at the time when resolution 435 (1978) was adopted or in the subsequent negotiations under United Nations auspices. These issues now apparently constitute the main reason for the delay in the implementation of the United Nations plan." [*S/15776, paras. 16, 18 and 19.*]

44. We also share the conclusion reached by the Secretary-General when he says:

> "I am deeply concerned that factors which lie outside the scope of resolution 435 (1978) should [today] hamper the implementation of that resolution.
>
> "The effects of delay are being felt profoundly not only by the people of Namibia, for whose welfare the United Nations has a special obligation, but also by other States of the region. . . . I believe that the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region." [*Ibid., paras. 19 and 20.*]

45. We are firmly in favour of peace and against confrontation in Africa generally and, in particular, in southern Africa. The effects of the tragic series of events in the Middle East, which make us fear that a conflagration might flare up at any time, are sufficiently alive in our memories for us not to attempt to add to such sources of tension in the world, particularly in the horn of Africa.

46. Thus, while we are very pleased at the encouraging developments that have occurred, which have been inspired by the desire for peace in the region, and while we are gratified at the political maturity and flexibility demonstrated by SWAPO and the front-line States, we deplore and condemn the fact that South Africa has not been able to make even the slightest gesture that could be regarded by the international community as likely to build confidence in the region.

47. The main partners of South Africa and the members of the contact group, with which we have various ties of friendship and co-operation, must realize the need not to encourage South Africa to pursue this course.

48. Let me take this opportunity to pay a particular tribute to France for its very clear and outspoken attitude on certain problems which might very well handicap and hold up efforts to reach a negotiated solution that would be both just and lasting.

49. While Zaire once again condemns the repeated acts of aggression committed by South Africa against independent African States in the region, particularly the occupation of the sovereign territory of Angola, a brother country with which we have numerous ties forged by history, geography, language, blood and culture, and also condemns the recent raid against Mozambique, we have, at the same time, every faith in the ability of the African people to face up to the problems before them if they are allowed to work on them in peace and freedom. We must respect the sovereign right of every State and every people to settle its problems as it sees fit, free from any interference and without endangering the interests of other States.

50. We in Africa and in Zaire consider ourselves reasonable people who understand many things. But there are occasions in history when we have to step back and take a look at our specific interests in order to respond to the appeals of other human beings, particularly in a world which believes in human rights and fundamental freedoms and for which the Universal Declaration of Human Rights is a sacred book. This is what we expect of the main partners of South Africa and expecially from the five member countries of the contact group.

51. Has the time not come to put an end, by the appropriate means, to the long series of betrayals of the obligations arising from the contract on decolonization with Namibia—or are we to continue to stand by, powerless, and yield to the pressures and manoeuvres designed to destroy this decolonization contract concluded between the United Nations and the people of Namibia? That is the crux of what is being discussed by the Council today; that is the question to which a reply will have to be

found, because what is at stake is the credibility of the Council and the entire work of the United Nations, which bears direct responsibility for leading Namibia to independence.

52. When the epic struggle of the United Nations for the restitution of the human rights and fundamental freedoms of those in Namibia is recorded for posterity, it is to be hoped that the conclusions of the present discussion in the Council will be regarded as a courageous a the culmination of a long and grievous human tragedy, as the final, transcendent deed which will inscribe in golden letters the contribution of the Council to the independence of the Namibian people—the penultimate chapter of a marvellous epic, crowned by the celebration of Namibia's independence. This is what is expected of the Council by millions of men and women in Africa whose eyes are even now turned towards the glass palace in Manhattan.

53. In this context, Zaire will associate itself with any positive and effective actions which might hasten Namibia's accession to independence and dispel the unfortunate impression that the whole history of Namibia has been that of a mission betrayed.

54. For that reason we should like to remind everyone, particularly our partners, the members of the contact group, that together we have signed a decolonization contract with the Namibian people, and that contracts are carried out in good faith. We have to be realistic and take into account the fact that decolonization is the major political and cultural feature of international relations in this second half of the twentieth century. It is the reality of decolonization that today makes necessary all the readjustments which have to be made in the present world order.

55. I should not like to conclude my remarks without reiterating our complete solidarity with SWAPO, whose heroic liberation struggle we salute. The United Nations having recognized SWAPO as the sole legitimate representative of the Namibian people, we cannot permit the Namibians, under the banner of SWAPO, to be treated as outcasts in their own country.

56. I voice the hope that the Council, in the name of the United Nations, will completely dissociate itself from the actions of South Africa and take vigorous and effective steps to expedite the implementation of the United Nations plan for Namibia.

57. Our most heartfelt wish is that the conclusions reached by the present debate in the Council will mark a new and decisive stage in the already over-long process of Namibia's accession to independence.

58. I now resume my function as PRESIDENT of the Security Council.

59. The next speaker is the Minister for Foreign Affairs of Mozambique, Mr. Joaquim Alberto Chissano, whom I welcome. I invite him to take a place at the Council table and to make his statement.

60. Mr. CHISSANO (Mozambique): Today the Organization of African Unity (OAU) is commemorating its twentieth anniversary. It has been 20 years of struggle for the self-determination and independence of the African peoples. In the course of that period we have been patient, but determined and militant in the search for solutions conducive to the total emancipation of our continent. Guided by the spirit and letter of the Charter of the Organization of African Unity, the African peoples have succeeded in uniting their efforts and leading an effective struggle against foreign domination.

61. Some of us experienced colonialism and oppression for more than five centuries. Hence, independence, freedom and peace are so dear that we accept all sacrifices so that colonialism and *apartheid* may be eradicated from our continent. Our weapons are unity, the determination to be free and the strength of our purpose. For this reason we enjoy the full support of the overwhelming majority of the Members of the United Nations.

62. We greet you, Mr. President, with special happiness, since you are from an African country, a member of the OAU and of the United Nations. Your people, like the people of Namibia, experienced colonial humiliation and repression. We are convinced that, under your leadership, the Council will find the ways and means that will lead to the independence of Namibia.

63. When I left Maputo I brought with me a specific mandate to support firmly the legitimate demand of the people of Namibia that Council resolution 435 (1978) be implemented so that their freedom and independence might be recovered.

64. I came with the determination to support the call by the international community to restore to the Council and to the Secretary-General the vital role to which they are entitled in the solution of the problem of Namibia, a role which in a subtle manner has been usurped by certain countries that intend to transform into their exclusive monopoly the right which is shared equally by all Members of the United Nations to contribute significantly to the search for a negotiated and just solution of the problem of Namibia.

65. I did not come here to speak of the traditional destabilizing role of South Africa in southern Africa. My Government thought that the dialogue we reluctantly agreed to initiate with the inhuman régime of South Africa constituted a healthy, desirable and acceptable way, encouraged by the international community, to activate the norms of peaceful coexistence and mutual respect between our countries, in the interest of international peace and security.

66. I did not come here to remind the members of the Council of the horrendous acts of aggression and the massacres perpetrated by the racist régime in Nyazonia, Mapai and Chicualacuala in Mozambique. I did not come here to remind them of the horrors of the attack against Matola in January 1981 or of the acts of aggres-

sion and attack against Ponta do Ouro, where the corpses of the Boers who were killed constituted undeniable proof of the criminal action of the Pretoria régime. I did not come here with the intention of speaking of the recruitment, training, arms and logistical support given by South Africa to the hordes of armed bandits that kidnap, violate and assassinate the wives of the peasants in my country; mutilate the elderly and the children; burn crops and destroy hospitals; burn and loot trains, trucks and stores; mine and sabotage roads, bridges and railroads; and kidnap and torture nationals of Western and socialist countries serving in Mozambique. I did not come here to speak of the arson and the destruction of the fuel depot in Beira, or the dispatch of boats into our territorial waters to carry out espionage missions.

67. I did not come here to speak of all this, because our Government thought that when, to the surprise of the entire international community, we agreed to dialogue with the South African Government we might be contributing towards creating in our region a climate of calm and peace.

68. My Government sent me to New York to speak on the question of Namibia. The diversionary tactics of the Pretoria régime will not deflect me from my mission. However, since the representative of the racist régime sought here to mislead international public opinion and the opinion of the Council, I thought it appropriate to introduce a parenthetical note before elaborating on the issue which brings me here and which is on the agenda of the Council in order to provide information in a few words on the escalation of tension in southern Africa and the South African aggression against my country.

69. The representative of the racist régime, using hypocritical and aggressive language, tried to present his country as the one most interested in peace and stability in the region. His allegations—gratuitous, devoid of any sense and deliberately orchestrated to deceive representatives present here and international public opinion—do not hold up against the slightest attempt at scrutiny.

70. The representative of the Pretoria régime, in addressing the Council [*2440th meeting*] wanted it to believe that Schoeman, being a common criminal, could never be a South African agent whose mission was to assassinate leaders of Mozambique, carry out reconnaissance of key strategic points in my country and commit acts of destruction and sabotage for South Africa.

71. Who, if not a criminal who has been in and out of prisons since the age of 14, would have been the person most qualified to carry out this most sordid mission if he had been promised his freedom in return?

72. Does the representative of Pretoria want to convince the Council and world public opinion that South Africa uses angels and saints to perpetrate acts of aggression against the front-line States?

73. South Africa has constantly tried to deny its responsibility in the creation, financing and utilization of the armed bands let loose against my country.

74. It has been confirmed beyond any doubt that Orlando Cristina, a Portuguese national and one of the prominent leaders of the armed bands, was killed on his farm near Pretoria. Could it be that South Africa, with all its police and intelligence apparatus, did not know of the existence and the role of this man in disrupting the peace in the region?

75. A press release, dated 30 October 1981, issued by the Permanent Mission of South Africa to the United Nations, said that the armed bandit, Adriano Bomba, who stole an air-force plane from my country, was receiving training as a pilot of Impala jet war-planes, the same type of aircraft that strafed Matola in the morning of the twenty-third of this month.

76. Can South Africa deny that Adriano Bomba, the present leader of the armed bandits who, under the command and with the support of the Pretoria régime, sow death and destruction, was not trained by Pretoria for this sordid mission?

77. Is this how the Pretoria régime promotes peaceful coexistence, of which it is so proud, with the countries of the region? On the other hand, the arrogant agent of *apartheid* will never be able to quote one case in which my country has trained bandits, infiltrated spies, violated the territory or airspace of South Africa or concentrated massive contingents of forces along the common border. Mozambique has never sent one single soldier, one weapon or even one gram of explosive to South Africa. Those who fight in South Africa are the South African people.

78. As the Council is already aware, a heavily armed formation of the South African Air Force, comprising from 14 to 16 aircraft, violated the territory of my country and, at 7.20 a.m., dropped its lethal cargo on civilian targets and the peaceful inhabitants of Matola, an industrial and residential area a little less than 20 kilometres from Maputo, the capital of Mozambique.

79. The result of this action, motivated by hatred and carried out at a time when the workers were leaving their homes to go to their jobs, was the death of six civilians—among them a woman in the final months of pregnancy, two children aged two and five years, one South African citizen and two workers of the SOMOPAL fruit-juice processing plant—40 civilians wounded, 14 houses damaged and a kindergarten destroyed.

80. The indiscriminate crimes of the racist leaders of South Africa were not directed against elements of the African National Congress of South Africa (ANC), as the Pretoria authorities claim. The 14 houses destroyed, as has been confirmed, are not ANC bases of any sort but simply houses of civilians who fortunately were not hit by the genocidal bombs simply because they had left for their places of work. The fruit-juice processing plant, the kindergarten and the people who were the victims in these two places provide overwhelming evidence that those places were not training centres or the headquarters of ANC which would have to be strongly protected and shielded with anti-aircraft missiles.

81. It was the sovereignty and territorial integrity of Mozambique that were violated once again.

82. It was the people of Mozambique that were attacked and massacred.

83. The tactic of using indiscriminate violence against neighbouring countries under the pretext of harassing and destroying ANC bases is a device which South Africa resorts to in order to divert the attention of the international community from the grave conflict that is spreading within its own borders. What it wants is to conceal the nationalist nature of the armed struggle being carried out by the people of South Africa by alleging that the régime is the victim of an armed conspiracy by neighbouring countries.

84. However, ANC has been in existence for over 70 years now. Its creation in 1912 therefore predates the creation of the FRELIMO [*Frente de Libertação de Moçambique*] party. The armed struggle of the South African people began in 1961, many years before we launched our own armed struggle, which ended with the overthrow of the Portuguese colonialists in 1974. Moreover, the South African people resorted to armed struggle only when the racist authorities of Pretoria refused dialogue and banned ANC.

85. When our country became independent in June 1975, the struggle of the people of South Africa had already reached a high level of development and sophistication. The international press was already publishing reports of ANC attacks on and the destruction of strategic targets in the interior of South Africa.

86. Nelson Mandela was condemned to life imprisonment by the racist authorities because they said that he was responsible for the national liberation struggle.

87. Mandela did not come from Mozambique; perhaps the authorities in Pretoria wanted the Council to believe that Mandela was sent by the Portuguese colonial régime to attack South Africa.

88. The massacres at Sharpeville, Soweto, Gogolito and Langa clearly demonstrate the fact that the minority and racist régime which holds power in South Africa is at war with the majority of the South African people.

89. That régime's final goal, pursued through intimidation, terror, aggression and destruction, is the surrender of the countries of the region to the hegemonic design of South Africa and their passive acceptance of the practices of racial segregation prevailing in the heartland of *apartheid*.

90. In view of all this, we cannot accept the proposition that the aggressive violence of South Africa against my country and the liberation activities carried out by ANC inside South Africa are in any way parallel or comparable or to be condemned without distinction. To do this would be deliberately to camouflage the truth.

91. South Africa invaded and committed barbarous aggression against a sovereign State.

92. The action carried out by ANC last Friday in South Africa was an internal matter in which the armed forces of our country were not involved. Trying to blame a neighbouring and independent country and retaliating against it because of an internal action that was the result of a criminal, segregationist, racist national policy condemned and vehemently opposed by the people of the country and by the international community constitute intolerable, arbitrary and gross interference in the internal affairs of a sovereign State.

93. The statement by the representative of the *apartheid* régime was notable for its total disrespect for the Council and its apocalyptic threats against the States of the region. South Africa came to the Council looking for confrontation. It is therefore a confrontation between South Africa and the international community as represented in the Council. Pretoria does not recognize any validity in the numerous resolutions of the General Assembly and the Council, including those that terminated Pretoria's Mandate over the Territory of Namibia.

94. On the other hand, we came to the Council guided by the purposes and principles of the Charter of the United Nations. We are for peace, and we intend to work for its preservation. South Africa knows this. The members of the Council know it. Only this year my President hosted a dinner—known as "the dinner of peace"—for the ambassadors representing the permanent members of the Security Council accredited to Maputo, and there our stand was made clear and applauded. Our central concern was to search for means of establishing a climate of peace in our region.

95. At our last meeting with the South African Government we talked about our policies in the search for avenues leading to peaceful coexistence. We hope to continue this effort. However, we also said, and we continue to say, that, while we love peace, we do not fear war. If it is necessary to fight a war in order to preserve peace in our region, we shall do so once again.

96. My country has been at war for over 20 years now. We fought a war against Portuguese colonialism to free our people from colonial domination and exploitation. We fought the war to create peace in our country.

97. It was the ideal of freedom and the struggle for peace that led us to accept sacrifices so that the flag of freedom, equality and harmony among men could fly in Zimbabwe. Thousands of Mozambican citizens were murdered by the illegal régime of Smith, supported by South Africa. Tens of thousands of children became orphans. Thousands of women mourned. Economic and social infrastructures were razed. But those criminal acts did not prevent the fall of the illegal racist régime of Southern Rhodesia. Today, in Zimbabwe, children, women and men are all citizens of a free and sovereign nation, respected and recognized by the entire international community.

98. Our party has just held its fourth congress. It reiterated the policy of peace of our State, which will resort to force only in cases of legitimate self-defence. The actions and acts of aggression by South Africa will not make us back down, because we are not just 12 million Mozambicans; with us are the 23 million black South Africans and the millions of coloured, Indian and white South Africans who oppose *apartheid* and desire freedom and peace for our region; with us are all the front-line States constantly threatened by *apartheid*; with us is the international community; because our strength lies in the reason and the justness of our cause. For this reason we are not afraid of the South African threat.

99. The fact that the international community reacted with indignation to the recent attack perpetrated by the South African Air Force against my country is in itself significant and encouraging. Governmental and non-governmental institutions in all continents condemned the *apartheid* régime and expressed their solidarity with our people and Government. We thank all those who unequivocally denounced and condemned this criminal act of aggression. We reiterate here before the representatives of the international community our unshakable support for the people of South Africa in their just struggle for the elimination of *apartheid*. We are certain that in this struggle the people of South Africa and the international community will be victorious and *apartheid* destroyed.

100. Allow me now to speak on the subject-matter that has brought us to these meetings.

101. In 1969, three years after the end of South Africa's Mandate over Namibia [*General Assembly resolution 2145 (XXI) of 27 October 1966*], the Council adopted its resolution 264 (1969), which, *inter alia*, considered that the continued presence of South Africa in Namibia was illegal and contrary to the principles of the Charter and the previous decisions of the United Nations and was detrimental to the interests of the population of the Territory and those of the international community. By virtue of paragraph 3, the Council called upon the Government of South Africa to withdraw immediately its administration from the Territory.

102. The demand for immediate withdrawal was reiterated more firmly in Council resolution 269 (1969), which in paragraph 5 called upon the Government of South Africa to withdraw its administration from Namibia before 4 October 1969—in other words, withdraw immediately.

103. Fourteen years have elapsed since then—14 years of systematic violation of the decisions of the Council, rendering this body a discredited and ineffective forum.

104. The Council assumed responsibility for the Territory of Namibia, with the understanding that the problem of Namibia was an issue that constituted a threat to international peace and security. Today, more than ever, it is evident that the situation prevailing in South Africa is indeed grave and explosive and prone to explode into a conflict of unpredictable proportions and repercussions. With each day that passes, tension increases, the number of deaths increases, the materials of war increase and the field of tension is extended.

105. In 1969, it was the independence of Namibia that was at stake. Today, it is Angolan territory that is occupied, it is Mozambique that is the object of aggression; it is Zimbabwe that is the target of constant infiltration; it is Zambia that is constantly threatened; it is Lesotho that is bombed and asphyxiated; it is far-away Seychelles that is the target of mercenary attacks. All these actions are carried out by the Nazi, Fascist régime of Pretoria.

106. It is South Africa that violates the sovereignty and territorial integrity of our countries. It is South Africa that endangers the peace, security and development of our region, which could have serious consequences considering the explosiveness of the current international atmosphere.

107. This is the régime that arrogantly and shamelessly violates the decisions of the international community and refuses to comply with the decisions of this body, which has been mandated by the Charter of the United Nations to be the guarantor of international peace and security.

108. What is at stake is not only the dignity of the humiliated people of Namibia, whose right to self-determination and independence has been denied, but also the dignity of each one of us present today as representatives of sovereign peoples who fought for their political emancipation. What is at stake here is the reputation, the dignity and the prestige of the Council as the trustee of Namibia.

109. The Council, in its resolution 264 (1969), recognized in a clear and unequivocal manner, in paragraph 1, that the General Assembly had terminated the Mandate of South Africa over Namibia and had assumed direct responsibility for the Territory until its independence. Since the General Assembly terminated the Mandate of South Africa in 1966, we have witnessed systematic violations of the relevant resolutions and decisions of the General Assembly and the Security Council by the *apartheid* régime. The Council has countless times been called upon to consider the critical situation prevailing in Namibia. In all cases, this body has demanded the withdrawal of South Africa's forces and administration, which are illegally occupying the international Territory of Namibia.

110. The obstinate refusal of the racist régime of Pretoria has been possible only because it enjoys the blessing and support of certain permanent members of the Council. The co-operation of such countries with the hated racist régime extends to the military and nuclear domains, thus making them accomplices in the crime of *apartheid* and, materially and morally, accomplices in the continuing occupation of Namibia, the systematic massacring of the civilian population, the repeated acts of aggression and destabilization directed against our coun-

tries and the acts of economic sabotage that undermine our development efforts.

111. All peoples that cherish peace and freedom, and the international community as a whole, saw in resolution 435 (1978) the instrument which, since it represented a universal consensus, would finally lead to the self-determination and independence of Namibia. SWAPO, the African States and the non-aligned countries mobilized all their efforts with a view to ensuring the implementation of that resolution. To that end, we worked with certain Western countries that maintain close relations with South Africa. We did so in good faith, in a spirit of openness and the desire for dialogue in order to solve a crucial problem that affected the entire international community.

112. Resolution 435 (1978) was the result of a common effort by all of us. After its adoption, we developed joint efforts to bring about its immediate implementation. However, five years have already elapsed and we have, to our frustration, achieved minimal progress.

113. In the course of all those years, SWAPO, demonstrating political maturity and common sense and in a constructive and exemplary manner, has made concessions that have gone even beyond acceptable limits. Now, when the open and constructive debates in the General Assembly and within the Council show unequivocally and unquestionably that all arguments plead for the independence of Namibia, and all manoeuvres to delay the independence of that Territory have been exhausted, we are being confronted with new demands that are totally out of context and inconsequent and only serve to complicate and imperil the process of negotiations.

114. When everything seemed to have been discussed and agreed upon, South Africa and the United States brought the question of the presence of Cuban forces in Angola to the negotiating table, arrogantly establishing an unfounded and illogical link between the presence of those forces in Angola, a sovereign State, and the independence of Namibia, an international Territory illegally occupied by South Africa.

115. Abusing the confidence placed in them, some members of the contact group now claim that this is not a question of linkage but rather a demand by the South African régime which we should accept in the name of realism and in order to advance the process of negotiations.

116. This paternalistic argument, typical of régimes that only recognize the supremacy of force as the basis of international relations, is a clear demonstration that for some permanent members of the Council the question of Namibia has ceased to be a question of the liberation of the peoples of Namibia; it has ceased to be a question of illegal occupation by South Africa. For these Powers the question of Namibia has become a pretext for attempts to recover their lost economic and strategic hegemony in southern Africa following the liberation of the peoples of that region.

117. The realism that is now being urged upon us as necessary by certain members of the contact group means that Angola should, against its will and against the most legitimate interests of its people, accede to South African demands if we want to see the process of Namibian independence moving forward.

118. From whatever angle the question of the presence of Cuban internationalist forces may be considered, if we continue to consider it a determinant in the process of independence for Namibia we shall be establishing a dangerous precedent that violates the principles of the Charter of the United Nations. Moreover, we shall be embarking upon a labyrinthine process which, far from enabling us to find a solution to the Namibian problem, will serve only to legitimize and institutionalize the arrogance and intransigence of the Pretoria régime in its defiance of the international community and the most elementary rules of the co-existence of nations.

119. The Council must resolutely and unequivocally refuse to link the independence of Namibia to the withdrawal of the Cuban internationalist forces from Angola. When we adopted resolution 435 (1978) Cuban troops were already in Angola. At that time, none of the permanent members or any Member of the United Nations established any linkage between these two realities, because we were all aware of the reason for the presence of such forces in Angola.

120. Angola is a sovereign country, a Member of the Organization, upon which the Charter bestows the sovereign right to appeal to any and every State in defence of its sovereignty and territorial integrity.

121. Thus, to make the independence of Namibia dependent on the withdrawal of Cuban forces from Angola would constitute more than mere interference in the internal affairs of a sovereign State; it would be an express act of complicity with South Africa, which persists in occupying Namibia illegally.

122. We are certain that the Council will know how to say "No" to this manoeuvre. Just as the international community paid tribute to the United States when in the Second World War its forces crossed the Atlantic and contributed to smashing the aggression of Hitler's Nazi régime, we cannot but greet today the Republic of Cuba, which has selflessly offered the blood of its best sons to halt the advance of the Fascist South African forces of occupation that were but a few kilometres from Luanda. One might compare the talk about the withdrawal of the Cuban troops from Angola with a demand for the return of American troops to Washington at the time when Hitler was decimating the European populations. When one speaks of withdrawal, it is the South African troops which should withdraw from Angola. It is they who are sowing death and destruction in Angola.

123. It is important for us to abandon the persistent position of passivity and retreat in the face of Pretoria's arrogance. The administration of Namibia does not

belong to South Africa: it is the responsibility of the United Nations. We should shoulder this responsibility if we want to restore the reputation of the United Nations, and particularly of the Security Council.

124. In order to guarantee the implementation of resolution 435 (1978), the Council should take effective measures to define the system for the election of a constituent assembly and to establish the United Nations Transition Assistance Group (UNTAG) force.

125. It is important that a clear time-table be established for the implementation of Council resolution 435 (1978). The Council should provide the Secretary-General with all the necessary powers so that, once and for all, the delaying manoeuvres aimed at postponing the independence of Namibia to a distant tomorrow are brought to an end.

126. Mozambique congratulates the Secretary-General on the courage, objectivity and clarity of his report [*S/15776*]. In expressing his concern about the non-implementation of resolution 435 (1978), the Secretary-General let it be known in his report that a future of peace and prosperity throughout our region was profoundly compromised with serious repercussions for international relations.

127. In concluding his report, the Secretary-General pleads with us for justice and peace to be established in Namibia and throughout the southern zone of our continent. In this context, we hope that the Council will take appropriate measures to terminate the illegal occupation of Namibia, so that a free and independent Namibia may emerge. That is our demand, as representatives of peoples guided by the ideals of freedom, justice, peace and progress. It is not enough for the Council to limit itself to condemning the illegal occupation and denouncing the massacres perpetrated against the people of Namibia.

128. The people and Government of Mozambique will continue to support SWAPO, the sole legitimate representative of the people of Namibia. We endorse the struggle of the Namibian people because we know the meaning and the price of the struggle for freedom and independence, justice and progress. In supporting the liberation struggle of SWAPO, we do so fully convinced that we are widening the frontiers of peace and freedom, which the peoples of the world cherish so much. As the Council is the main guarantor of international peace and security, we expect the decisions to be taken at these meetings in order to end the occupation of Namibia and Angola, to bring independence to Namibia and the end of the aggression against and destabilization of the front-line States perpetrated by South Africa, so that a climate of freedom and justice may prevail throughout our region.

129. To sum up, Mozambique calls for the establishment of a definite date for a cease-fire; the speedy implementation of resolution 435 (1978); the speedy establishment of a time-table for the election of a Constituent Assembly; the immediate establishment of the UNTAG force; a clear and unequivocal statement by the Council invalidating and opposing any linkage or any pretext that might otherwise impede the implementation of resolution 435 (1978); and for the Secretary-General to carry out the mandates of the General Assembly and the Council and submit a report to the Council as early as possible before the next session of the General Assembly.

130. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Turkey. I invite him to take a place at the Council table and to make his statement.

131. Mr. KIRÇA (Turkey): Mr. President, I should like to congratulate you on your assumption of the presidency of the Council for the month of May. My delegation is particularly happy to see this important debate on the question of Namibia taking place under the distinguished presidency of an African member of the Council and we are confident that under your guidance this debate will have a successful conclusion.

132. My delegation also derives satisfaction from the fact that the Council has taken up consideration of the situation regarding Namibia at this particular moment. As previous speakers have pointed out, the process of bringing independence to Namibia is passing through a crucial stage. All the elements are present in this critical stage to move events in either of two directions: either towards the implementation without further delay of the independence plan for Namibia, approved in Council resolution 435 (1978), or towards a further aggravation of the political situation and the troubles in and around Namibia.

133. The Council is seized of this burning international question at this particular moment because of the simple fact that the Namibian problem is the responsibility of the United Nations in more ways than one. Nearly 20 years have passed since the General Assembly terminated the Mandate of South Africa over Namibia and established the United Nations Council for Namibia, with direct responsibility for the administration of that Territory [*resolution 2248 (S-V) of 19 May 1967*]. Twelve years have passed since the International Court of Justice pronounced on the illegality of South Africa's presence in Namibia. Five years have passed since a tenable plan for the independence of Namibia was adopted by the Council with the concurrence of all the parties, including South Africa. That resolution, 435 (1978), forms the indisputable basis and framework for the peaceful settlement of the Namibian problem; therefore it is only appropriate that at this time the Council should evaluate this situation.

134. In Namibia we are confronted with one of the last but most important vestiges of colonialism: illegal occupation and social repression. This situation has aroused the strong indignation of all the Members of the United Nations. We see that everyone is united on which is the party preventing the settlement of this question. There is also unanimous agreement, as I have just mentioned, on

the steps which should be taken to resolve this question. Such agreement on a solution is also rare. The time when this plan for independence should have been implemented has passed. Paradoxically, it is still difficult to say that the struggle for the achievement of freedom and independence for Namibia is about to end.

135. We believe that when the Council decides on how to proceed at this point the existing situation in Namibia and the plight of the Namibian people should be taken into consideration above anything else. Their suffering, the denial of their basic rights and freedoms under the deplorable *apartheid* policies and the exploitation of their natural resources have continued for too long.

136. Confronted with such a prolonged and intolerable foreign occupation, the Namibian people are engaged in a rightful struggle for national independence under the leadership of SWAPO, their sole authentic representative. On the other hand, the efforts carried out by the contact group, particularly during the past year, have produced an agreement which, we believe, will facilitate the implementation of resolution 435 (1978) in a short time.

137. It can justifiably be said that the successful conclusion of these negotiations was largely due to the conciliatory attitude shown by SWAPO and the front-line States. Their flexible attitude was undoubtedly motivated by the concern they felt about the consequences of the continuation of the sufferings of the Namibian people. The African States and SWAPO were able to maintain their conciliatory attitude despite the evasive tactics of South Africa.

138. South Africa's attitude during the recent history of Namibia has been characterized by the dual policy that it appears to follow. This dual policy consists in displaying an interest in a negotiated settlement on the one hand and obstructing progress on the other. We saw this happen in 1981 during the pre-implementation meeting in Geneva, as well as during the most recent efforts by the Western contact group. Today, as this debate continues, we witness measures being taken by South Africa which are detrimental to the process of peace and to the process of the implementation of the United Nations plan for the independence of Namibia.

139. South Africa must be made to see the wrongness of its position and that it cannot continue totally to disregard world opinion and the dynamic developments and progress taking place in Africa. It must realize that the strands of colonialism to which it is still clinging belong to an era long past.

140. In the light of recent experience, it has become evident that only decisive sanctions as envisaged in the Charter of the United Nations will produce the necessary effect. For only through the settlement of the Namibian problem by the attainment of full independence by Namibians can progress be made in the re-establishment of general stability in southern Africa. And only with the emergence of a united, sovereign and independent Namibia can the prolonged suffering and sacrifices of the Namibian people come to an end.

141. We believe that it is the responsibility of the international community to exert every effort to ensure the achievement of this goal in the shortest possible time. The International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris in April, demonstrated the solidarity of the international community and its determination to find an urgent solution to the problem of Namibia. We are confident that this body will consider ways and means to set in motion—final motion—the process of independence for Namibia. In this respect, we should like to commend the Secretary-General for his valuable and untiring efforts to bring about the full implementation without delay of the United Nations plan. As a result of the detailed preparations undertaken, the United Nations is ready to go ahead with carrying out the plan for the independence of Namibia. We hope that the necessary conditions will prevail to enable the Secretary-General to continue effectively his efforts in this direction.

142. My Government, for its part, is fully committed to the efforts being exerted by the United Nations to ensure the full sovereign independence and absolute territorial integrity of Namibia and the unity of the Namibian people. My Government has faith in the just cause of the people of Namibia and in the final victory of the national independence struggle of the Namibian people.

143. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Guinea. I invite him to take a place at the Council table and to make his statement.

144. Mr. KABA (Guinea) (*interpretation from French*): At the outset, Sir, on behalf of the Revolutionary People's Republic of Guinea, I wish to express our great pleasure at seeing you preside over the work of the Council for the month of May. Please accept the warm congratulations of my delegation on your assumption of this important position. My pleasure is increased by the fact that I am among those who hold you in the highest possible esteem for your great experience and skill as a diplomat. My delegation is convinced that, under your inspired leadership, the work of the Council cannot fail to proceed in a spirit of equity and responsibility. I salute you as a great statesman from a country with which my own has the closest ties of friendship and fraternity.

145. I should also like to congratulate, through you, your predecessor, Mrs. Kirkpatrick, the representative of the United States, on the skilful way in which she guided the work of the Council last month.

146. At this crucial stage in the history of Namibia there is a need for a practical contribution to the national liberation struggle of the Namibian people in the fight that they are waging on our African soil at the very time when, as if to defy us, the Fascists of Pretoria are launching their tanks and their mercenaries, from the martyred country of Namibia itself, against the rear bases of SWAPO in the front-line countries.

147. The most recent murderous raids carried out by the mercenary forces of South Africa against independent, sovereign Mozambique on 23 May provide a sinister illustration of South Africa's brazen persistence in spurning the constant appeals to reason from the international community.

148. Thus, this serious situation is spreading to all southern Africa, becoming more complex, explosive and threatening; the underlying purpose, undoubtedly, is to intimidate, and thus to win concessions for the multinationals and the racists.

149. As if this were not already enough, the racist Government of South Africa instructed its representative once again to thumb its nose at the international community, including its protectors, by declaring at the outset of his statement, with his customary cynicism:

> "The time has come to remind the United Nations that South Africa has never accepted the United Nations view that South Africa's presence in the Territory is illegal." [*2440th meeting, para. 71.*]

150. The African peoples for their part are quite prepared to meet this challenge so that all Africa can live free and independent.

151. We should like to remind those who still entertain any doubts on this score that there is no precedent in history of aggressors being able to overwhelm peoples that were motivated by a firm resolve to defend their independence. That is particularly true in this century, when world reaction is being rapidly overtaken by the forces of progress.

152. We believe that it is important to have a clear grasp of the Namibian situation since any undue pessimism would simply favour the sinister designs of the imperialists and their racist lackeys.

153. Indeed, in October 1966 and May 1967 the General Assembly, at the request of African and Asian countries, adopted resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967, in which it decided that Namibia came under the direct responsibility of the United Nations. At the time, it envisaged the immediate granting of independence to Namibia and entrusted to the United Nations Council for Namibia, in the interim, the functions of legal Administering Authority of the Territory until it became independent.

154. Unfortunately, since that date to the present, in a series of events that included the regrettable pre-implementation meeting at Geneva in January 1981, the Pretoria clique, supported by its protectors, has obstinately refused to implement both General Assembly and Security Council resolutions, while putting forward unacceptable proposals of its own.

155. In the light of those successive failures, the Seventh Conference of Heads of State or Government of Non-Aligned Countries, meeting at New Delhi from 7 to 12 March, and the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April, invited the Council to meet at the earliest possible date to consider further action on the implementation of the plan for Namibia's independence. In their decision, taken at the New Delhi Conference, the Heads of State or Government again called upon the Council to assume its primary responsibility for implementation of resolution 435 (1978) [*see S/15675 and Corr.1 and 2, annex, sect. I, para. 49*].

156. My delegation would like to place a great deal of hope in the present series of Council meetings. We should not like to despair of the international community's ability to deal justly with a people, the Namibian people, which did not ask to be handed over to South Africa. It was the League of Nations which, by a simple vote, decided the fate of that fraternal people. Who bears responsibility for this situation if not the United Nations, which succeeded the League of Nations?

157. Peace-loving and justice-loving peoples throughout the world, particularly the peoples of Africa, are listening with confidence and hope in their hearts that this time the international community—and in particular, the representatives of the great Powers, the great democracies, staunch upholders of human rights and humanism when that serves their interests—will, at the end of these debates, ensure a triumph for the right of peoples to self-determination and full control of their destinies. Thus, we must do what we can to build a free, independent and democratic Namibia.

158. The numerous resolutions that have been adopted, the numerous plans for a peaceful settlement that have already been drawn up, the innumerable talks that have been started, the long and difficult meetings that have been held in addition to the present series, demonstrate that the time for hesitation and mere verbal condemnations is past. The question of Namibia has plagued us all for too long. For 35 years now, Africa's patience has been put to the test. We believe it is now time to act, and to act swiftly and with determination. The very least that can be demanded, as we see it, is the imposition of mandatory economic sanctions, which must include a strengthening of the embargo on all forms of trade with South Africa.

159. Today, as in the past, the racist Government of Pretoria, together with its allies, continues to evince bad faith, arrogance and treachery, to stymie any negotiations on the question of Namibia and to defy the international community with complete impunity.

160. Guinea regards the new demands put forward by Pretoria and its protectors as a pure delaying tactic, on the thin pretext of some threat to the security of South African frontiers posed by the presence of Cuban troops in the free and sovereign land of Angola.

161. My delegation not only reaffirms its total adhesion to the Paris Declaration on Namibia,[1] adopted by the

International Conference in Support of the Struggle of the Namibian People, but also endorses the forthright condemnation of any attempt to establish any link whatsoever between the independence of Namibia and any extraneous issue—in this particular case, the withdrawal of Cuban forces from Angola. My country believes that to be an underhand way of hampering the implementation of resolution 435 (1978) as well as an act of brazen interference by South Africa and its protectors in the domestic affairs of Angola.

162. In sum, may I say that, in the light of South Africa's refusal to enter into any genuine dialogue with the United Nations and SWAPO, the sole legitimate representative of the Namibian people, and in the face of that defiance, my delegation proposes: first, the imposition of comprehensive sanctions, as provided for in Chapter VII of the Charter; and, secondly, stepped-up assistance to Namibian refugees and to the front-line States, victims of South Africa's repeated acts of aggression, in order to strengthen their defence capabilities.

163. Convinced as we are that justice and democracy will inevitably triumph in an independent Namibia, I should like once again to proclaim the active solidarity of the people of Guinea, its state party, its revolution and particularly its leader, President Ahmed Sékou Touré, the Supreme Leader of the Revolution, to the militant people of Namibia and its vanguard, SWAPO, the sole representative of the heroic Namibian people.

164. On this solemn occasion, we should like respectfully to welcome the presence in this hall of the foremost freedom fighter of the Namibian people, our brother Sam Nujoma, to whom the progressive forces of the world have paid a tribute by sending to New York their Ministers for Foreign Affairs and eminent representatives to participate in these important debates in the Council on the question of Namibia.

165. One of the cardinal principles of the state party of Guinea is its emphatic expression of the Guinean peoples' active solidarity with all the forces throughout the world that are struggling against injustice, imperialism and colonialism. It was in the name of that principle that President Ahmed Sékou Touré, in his message to the International Conference in Solidarity with the Front-line States, held at Lisbon from 25 to 27 March 1983, expressing his complete confidence in the struggle of the southern African freedom fighters, stated:

> "Victory is on our side. In the struggle between oppressors and the oppressed, there are reasons on the side of the oppressed that ensure and guarantee them victory—their certainty that they are waging a just war, their conviction that that is the only way the class enemy has left open to them and the certainty that the people will triumph, for history has always granted victory in such cases to those upholding just causes. That they also see public opinion on their side is another propitious factor."

166. Mrs. KIRKPATRICK (United States of America): I have already had the opportunity during this month to express my Government's and my personal congratulations to your Government, Sir, concerning Zaire's assumption of the presidency of the Council and our confidence in the fairness and skill of Zaire's representative in the conduct of those affairs. May I simply reiterate, not only our Government's general confidence in Zaire's ability and will to conduct the affairs of the Council with skill and fairness, but also our pleasure at seeing you, our former colleague, and now Minister for Foreign Affairs of your country, so experienced in the affairs of the Council and of the United Nations, occupying the post of President during these most important deliberations.

167. The events of this past week end in Pretoria and Maputo are a bloody reminder, if any was needed, of the consequences of violence and of the very real potential that today exists throughout southern Africa for the further escalation of violence. As is all too often the case, the victims of these most recent tragic events include many who were entirely innocent and blameless. The United States deplores such acts of violence, from whatever quarters, whether perpetrated in the name of change or in opposition to it. Violence cannot solve the pressing problems of the region. On the contrary, by creating new victims, new grievances and new grounds for anger and hatred, such acts can only increase the danger of new and greater violence in an ever-escalating tragic cycle. Ultimately, we must count among the wounded of these acts all those who seek and hope for peaceful change through negotiation and dialogue.

168. My Government has for the past several years been seeking to assist the Governments of the region to find peaceful ways to address and to resolve mutual problems. We have been encouraged by the purposeful high-level dialogue between Mozambique and South Africa, a dialogue which the events of last week-end must not be permitted to place in jeopardy. We have made known both to South Africa and Mozambique—and indeed to all Governments of the region—our willingness to help. We have stressed our conviction that the problem of cross-border violence, if allowed to go unresolved, will seriously endanger prospects for both stability and peaceful change.

169. Le it be clearly understood that the United States deplores violent cross-border activities in southern Africa, in whatever direction and for whatever stated goal. Similarly, we categorically reaffirm the principle that all States have a duty to refrain from tolerating or acquiescing in organized activities within their territory by guerrillas or dissidents planning acts of violence in the territory of another State. There can be no double standard for southern Africa. Cross-border violence cannot be condoned, whether it be in the form of a bomb placed in a crowded square in Pretoria by externally based organizations or of the continuing violation of Angola's territorial integrity by South African forces.

170. The Council also bears a solemn responsibility to uphold the principles of non-violence and the settlement of disputes by peaceful means. Those principles are especially pertinent to the issue which this meeting of the Council has been convened to consider.

171. The United States welcomes the opportunity afforded by this meeting to participate in a review of the efforts that are being made to bring about the independence of Namibia, in accordance with decisions previously taken by the Council. As all are aware, the United Nations, and in particular the Security Council, bears a special responsibility for furthering the interests of the people of Namibia and their aspirations for peace, justice and independence. It has been two years since the Council last met to examine the question of Namibia, and it is therefore appropriate that it should wish to review what has transpired in the intervening period.

172. The participation in this debate of so many distinguished ministers for foreign affairs testifies to the importance and the urgency which the international community as a whole attaches to the attainment by the people of Namibia of their justly deserved and too-long-delayed independence. I especially welcome the presence here of the Ministers for Foreign Affairs of the front-line States, with which Governments of the contact group have enjoyed an active, constructive and vital partnership in our efforts to hasten Namibia's independence.

173. Finally, I welcome this opportunity to report to you on the role that my Government, in partnership with the other members of the contact group, has sought to play in helping to promote a peaceful, negotiated settlement for the earliest possible attainment of Namibia's independence.

174. Before doing so, however, I wish to pay a special tribute to the Secretary-General. I know at first hand his deeply felt commitment to the attainment of Namibia's independence. I have been impressed by his dedication and objectivity and have full confidence in his ability to carry out the responsibilities assigned to him under Council resolution 435 (1978). I am also aware of the efforts he and his staff have made to ensure that all is in readiness for the day when agreement is reached for implementation of the United Nations settlement plan.

175. I also wish to thank the Secretary-General for his report [*S/15776*], which provides an accurate summation of what has transpired since the Council last met on this issue in April 1981. It is not necessary to recapitulate what he has already set out. I should, however, like to recall the very different circumstances that prevailed at the time of that last meeting.

176. The tone and the outcome of that debate were very much a reflection of the widespread disappointment over the failure of the pre-implementation meeting at Geneva, in January 1981, to reach agreement on a date for the start of the cease-fire envisaged in resolution 435 (1978). The pre-implementation meeting ended only a few days before the Reagan Administration, of which I am a member, took office in Washington. It became one of the urgent tasks of the new American Government to assess, jointly with its contact group partners, the reasons for the failure of the Geneva meeting.

177. It would be fair to say that the new American Government was the recipient of a great deal of advice at that time. I will be frank in telling the Council that there were those who advised strongly against a continuing United States role in pursuit of a negotiated settlement of the Namibian problem. It was said by a good many that the obstacles to a peaceful settlement were too great to be overcome and that the interests of the United States in the region did not justify the tremendous commitment of time and energy that would be required. Needless to say, the persons responsible for formulating the policies of this Administration did not share those views. Although they were mindful of the great difficulties involved, they were also aware of the efforts that had already been made and of the opportunity that existed to resolve through peaceful negotiations this pressing issue. They were, in this regard, sensitive to the cardinal importance attached to Namibia's early independence by the nations of Africa. These goals more than justified a rededication to the efforts which the contact group had first undertaken four years earlier.

178. At the same time, we were anxious in our renewed approach to the problem to avoid, if at all possible, the frustrations of the past. We sought an approach that would not result in the same disappointment so keenly felt, above all by the people of Namibia, following the failure of the Geneva pre-implementation meeting. With this firmly in mind, we undertook a fresh round of consultations, first with our contact group partners and then with the other parties concerned: the front-line States, the South African Government, SWAPO and the Namibian political parties that would also participate in the United Nations-supervised elections envisaged in resolution 435 (1978).

179. In the course of these consultations several facts became abundantly clear. First, we were assured of the interest and the desire of all those directly concerned that the negotiations should continue. Secondly, it was clear that, in the absence of a peaceful negotiated settlement leading to Namibia's independence, the situation of armed conflict and instability in the region would only worsen, with unacceptable consequences for all the inhabitants of the region. Finally, we were assured by those with the greatest stake in the success of the negotiations that the contact group had a continuing and important role to play in helping to bring about a peaceful settlement.

180. On the basis of this assessment, the Minister for Foreign Affairs of the contact group met in May 1981 and decided to redouble their efforts to bring about a negotiated settlement. They reaffirmed their conviction that only a settlement under the aegis of the United Nations would find broad international acceptance and that resolution 435 (1978) continued to provide the basis

for Namibia's peaceful transition to independence. Bearing in mind the difficulties that had arisen at the pre-implementation meeting in Geneva, the contact group Ministers for Foreign Affairs further decided to develop specific proposals that would address directly the concerns that had thus far prevented the implementation of resolution 435 (1978). They considered that the purpose of these proposals should be to give all concerned greater confidence as regards the future of an independent Namibia.

181. Since the relaunching of their negotiating efforts in the spring of 1981 the members of the contact group have worked closely and intensively with all the parties concerned. It is a matter of the greatest regret to us, as I know it is to all of those here, that the promise of Namibia's independence has not yet been realized. At the same time, however, I believe it would be a mistake to discount the progress that has been achieved towards the implementation of resolution 435 (1978) since the Council last met to review the situation [*2267th to 2277th meetings*].

182. First, it is important to note that all parties concerned have reaffirmed their acceptance of resolution 435 (1978). That resolution and the settlement plan it endorsed remain the only agreed and recognized basis for an internationally acceptable settlement of the Namibia question.

183. All parties have committed themselves to constitutional principles which will serve as a guide to the elected Constituent Assembly in drafting a democratic Constitution for an independent Namibia. This agreement, which was confirmed to the Secretary-General in July of last year and which is noted in his report to the Council [*S/15776, para. 6*], has helped to reassure all those who will participate in the United Nations–supervised elections of the democratic future of an independent Namibia.

184. Substantial progress has also been made in resolving the issues which were responsible for the unsuccessful outcome of the Geneva pre-implementation meeting. In particular, through intensive consultations which took place in New York and Washington last summer, involving representatives of the front-line States, SWAPO, South Africa and the United Nations Secretariat, understandings were reached that will assure all parties to the elections of the fairness and impartiality of the process leading to Namibia's independence.

185. Finally, through their own consultations with the parties concerned, the Secretary-General and his staff have made substantial progress in resolving outstanding questions concerning the composition and deployment of the military component of UNTAG. Here I should like once again to express our appreciation to the Secretary-General for the determined efforts he has made to ensure that all is in readiness for the implementation of the United Nations settlement plan.

186. Because of the substantial progress that has been made over the past two years, only two major issues remain to be resolved in preparation for the implementation of resolution 435 (1978). These are: the choice of the electoral system to be employed in the elections, which all parties are agreed must be settled in accordance with the provisions of resolution 435 (1978) and in a manner that does not cause delay; and final technical matters concerning the composition of the military component of UNTAG.

187. While the United States is pleased with the record of what has been achieved over the past two years, we are by no means satisfied. Indeed, none of us can rest content until the goal which we seek has been attained. But the fact that much has been achieved justifies continued commitment to the course.

188. Apart from the specific accomplishments I have just mentioned, there has been the development of an atmosphere of confidence which we hope will make it possible for the parties concerned to take the important political decisions necessary to go forward with the implementation of resolution 435 (1978). We have been particularly gratified by the constructive and flexible attitude displayed by the parties concerned, which has made possible the progress that has been achieved to date.

189. We share the concern that the factors relating to the regional situation in southern Africa, which are, however, outside the scope of the mandate of the contact group, have not yet permitted implementation of the United Nations plan. We believe that these issues should be resolved rapidly, in a manner consistent with the sovereignty of all States concerned, so that the people of Namibia can exercise their right of self-determination. The Ministers have accordingly decided that the contact group should continue its work with all urgency.

190. We are convinced, now more than ever, that, with the continued good faith and co-operation of all concerned, our shared objective of a negotiated settlement leading to a stable, democratic, prosperous and independent Namibia will be realized.

191. Here I should like to say a word about the role and objectives of my Government in these negotiations.

192. I wish to stress above all that the United States neither desires nor seeks any special advantage or position for itself in these negotiations.

193. It is not our intention, nor is it within our power, to impose our own views or wishes on those whose interests and aspirations are most directly involved.

194. We fully respect the fact that the political decisions needed to proceed with the implementation of the United Nations settlement plan are sovereign decisions that can only be taken by the Governments most immediately and directly concerned.

195. Furthermore, we recognize that those who must take those decisions will wish to assure themselves that

their own interests and security will be respected and protected.

196. In the sometimes thankless role that we have assumed, our sole objective has been to assist the parties in overcoming the difficulties that have to date prevented the implementation of resolution 435 (1978) and the attainment of Namibia's independence.

197. Finally, I wish to assure all those here assembled that the United States will continue to work for Namibia's transition to a stable and prosperous independence once an agreement has been achieved. With other Members of the United Nations, we are prepared to contribute a fair share to ensure the effectiveness of UNTAG. We also stand ready to co-operate with others in providing the assistance that will be essential to giving all Namibians the opportunity to lead peaceful and productive lives.

198. I am keenly aware of the sense of frustration felt by members of this body because the aspirations of the people of Namibia have not been realized. We share that frustration; we have sympathy for the people of Namibia and the region who suffer from the continuing conflict. We will not, however, allow our feelings of frustration to lead us to despair. Our common efforts will succeed. The only alternative to continued, vigorous pursuit of a peaceful, negotiated settlement is a more dangerous and more destructive escalation of the violence that the people of Namibia and those throughout the region have known too well for too long.

199. Those of us who are privileged to participate in the decisions of this body have a special responsibility to do all that we can to help achieve Namibian independence peacefully and promptly. We are ready to work closely with other members of the Council and with the parties concerned to achieve such an outcome, which we know will also enhance the prospects for peace, security and economic development throughout the region.

200. The PRESIDENT (*interpretation from French*): The next speaker is Mr. José Maria Cabrera, the Deputy Minister for Foreign Affairs of Panama, whom I welcome. I invite him to take a place at the Council table and to make his statement.

201. Mr. CABRERA (Panama) (*interpretation from Spanish*): In an earlier statement my delegation congratulated Mr. Umba di Lutete on his assumption of the presidency of the Council for the month of May; nevertheless, Sir, I should like to express personal pleasure at seeing you preside once again over this important body; we are sure that with your experience and your usual diplomatic ability, the Council debate on the delicate question of Namibia will go forward successfully and decisively.

202. The solidarity of Panama and Latin America in general with the States which make up the OAU and with the peoples of southern Africa is based on the shared spiritual, ethnic and cultural ideals which have indissolubly linked our two continents throughout their history. We also share with the African nations the desire to maintain and promote the principles of non-alignment, independence and anti-colonialism. We are therefore committed to the struggle for the self-determination of peoples, political and economic sovereignty and the establishment of a new international economic order, which will in turn promote the progress of the countries of the third world and the establishment of more just economic relations between the industrialized countries and the countries of Africa, Asia and Latin America.

203. Five years have passed since the Council approved, through its resolution 435 (1978), the United Nations plan for the independence of Namibia. Yet the Territory continues to be under the illegal occupation of a repressive racist régime, in open defiance of the common will of the international community. The acts of aggression, reprisal and destabilization directed by South Africa against the independent States of the region—most recently against Mozambique—pose a continuous threat to international peace and security.

204. In the light of the tragic plight of the Namibian people, the Council must, within the framework of its responsibility to the United Nations and the States which make up the Organization, conscientiously exert its political and moral authority to bring about action to ensure the immediate, effective implementation of the decisions of the General Assembly, the International Court of Justice and the Council itself on the independence of Namibia.

205. Besides tackling the problem of the genuine independence of Namibia, the Council should state its position on other matters of political importance, such as the full exercise by Namibia of its sovereignty over its wealth and natural resources and over all its territory, including Walvis Bay, the Penguin Islands and the other offshore islands.

206. Panama has unswervingly and incessantly condemned the vile policy of *apartheid* practised by the Government of South Africa, as well as the Pretoria régime's contemptuous disregard of the advisory opinion of the International Court of Justice of 21 June 1971,[2] and General Assembly and Council resolutions aimed at putting an end to the illegal occupation by South Africa of the Territory of Namibia.

207. Yesterday morning the Council heard the representative of South Africa once again challenge the Council and the United Nations, when he said:

> "I trust . . . that the Security Council will not consider any action or set any deadlines which might force southern Africa in the direction of confrontation and of an escalation of conflict. The Council should be under no illusions as to who would suffer most . . . It would be all the peoples of southern Africa, of all the countries of our region."* [*2440th meeting, para. 101.*]

208. This brutal threat is totally inadmissible and is unworthy of a modern-day State. What South Africa said

* Quoted in English by the speaker.

to the Council was that any action adopted by it with the aim of hastening the independence of Namibia would be blocked by direct confrontation and an escalation of the conflict. South Africa has warned that from its point of view the victims will be the peoples and the States of the region. Such an attitude, announced publicly by South Africa, should be rejected by all members of the international community, and deserves the harshest condemnation pronounced by the Organization against any country since the black days of the Second World War.

209. The Government of Panama, as a State Member of the United Nations and of the Movement of Non-Aligned Countries, reaffirms its full support for sanctions against the racist régime of Pretoria for its criminal international conduct. In this connection, Panama agrees that the Council should impose comprehensive mandatory sanctions against South Africa for as long as it continues its opposition to the independence of Namibia and its policy of aggression and reprisal against the front-line States and other States of the region.

210. The Council's inaction does not prevent States, acting unilaterally or collectively, from applying economic or other sanctions against the Pretoria régime.

211. Faced with the negative attitude of South Africa, it is up to the United Nations and the international community to adopt severe measures against that régime to put an end to the oppression suffered by the people of Namibia and to the aggressive actions of the Pretoria régime, which persistently commits breaches of the peace and carries out armed attacks against the neighbouring front-line countries. Such measures are all the more necessary because of the risk that the conflict could spread and attain broader proportions, thus endangering international peace and security.

212. We believe that the obstinate and defiant stand taken by South Africa against the highest principles of the United Nations and of the Movement of Non-Aligned Countries leaves the international community no other option than the imposition of sanctions, the implementation of which will result in the isolation of the racist régime of Pretoria. This seems to be the only way to compel South Africa to comply with its unavoidable obligation to bring about the independence of Namibia and to cease the illegal occupation of its territory.

213. In the discussions in the Council, we should not allow Namibia's independence to be made conditional upon or linked to the policy of strategic interests or national security of other States, or to the conclusion of international agreements under the doctrines of geographical proximity. The people of Panama, in connection with the Panama Canal, fought for several generations against the applicability of such strategic policies and doctrines, and are fulfilling a historical and moral duty in defending the primacy of the right of the Namibian people over South Africa's claims to control the sea route around the Cape of Good Hope as a means of access to the Indian Ocean and the South Atlantic and to use this as a pretext for opposing the early independence of Namibia.

214. No interest, strategic or of any other kind, can prevail over the right to self-determination of peoples and their territorial integrity.

215. Panama therefore reaffirms its recognition of the right of the Namibian people to self-determination, freedom and national independence, in a united Namibia, under the leadership of SWAPO, its sole legitimate representative.

216. On this occasion, I should like to express our particular gratitude for the efforts of the Secretary-General to bring about the independence of Namibia. His personal interest in this question is well known, and we hope that the Council will provide him with all the necessary support.

217. Finally, I have the honour to read out a message, dated 23 May 1983, addressed to you, Sir, in your capacity as President of the Council, by the President of the Republic of Panama, Mr. Ricardo de la Espriella, which is related to this debate.

[*The speaker read out the message contained in document S/15795.*]

218. The PRESIDENT (*interpretation from French*): I request the Deputy Minister for Foreign Affairs of Panama to transmit to the President of the Republic of Panama the thanks of the Council for the message he was kind enough to send to it. The next speaker is Mr. Syed Najmuddin Hashim, the Minister for Information of Bangladesh. I welcome him here and invite him to take a place at the Council table and to make his statement.

219. Mr. HASHIM (Bangladesh): Mr. President, I wish first of all to thank you and the other members of the Council for having given my delegation the opportunity to participate in this important debate, affording us the opportunity to voice the steadfast support of the Government and people of Bangladesh for the heroic struggle of the people of Namibia for freedom and independence. I should also like to congratulate you on your assumption of the presidency of this body for the month of May. We are confident that under the able and proven leadership of such a distinguished representative of a fellow non-aligned country and of such an outstanding son of Africa, the Council's deliberations will achieve fruitful and constructive results.

220. The Council, after a period of nearly two years, is meeting again to discuss the situation in Namibia, at the joint initiative of the members of the Movement of Non-Aligned Countries and the Group of African States. At the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March, those leaders, who represent more than two thirds of the world community, once again unequivocally expressed themselves in favour of the immediate implementation of

Council resolution 435 (1978). The ground for a successful resolution of the problem has been laid at the recently concluded International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris in April.

221. We have thus travelled to join in this historic meeting in New York by way of the conferences at New Delhi and Paris. We must therefore take due note of the outcome of the two previous meetings in our present quest. At New Delhi, the Heads of State or Government called for the present meeting of the Council "in order to consider further action on the implementation of its plan for Namibia's independence thereby assuming its primary responsibility for implementation of Security Council resolution 435 (1978)" [*see S/15675, annex, sect. I, para. 49*].

222. It is because the Non-Aligned Movement is concerned at the lack of progress in implementing that resolution, which should have led Namibia out of bondage into freedom, that it called for the United Nations to assume direct and full responsibility for every step to be taken with a view to ensuring the decolonization of Namibia. We are in agreement with the President of the United Nations Council for Namibia that the Security Council should address itself to this specific goal of bringing the talks on Namibia back into the United Nations framework.

223. Equally we are convinced by the lucid report of the untiring Secretary-General in which he says that, since the adoption of the Security Council resolution five years ago, the political situation in the region has deteriorated. He has reported "other ominous developments, including acts of destabilization, which add to the political tension in the area and impair the fragile economies of the countries of the region" [*S/15776, para. 15*]. We agree with the Secretary-General that "the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region" [*ibid., para. 20*], and we agree with him when he regards "the independence of Namibia as the essential and primary issue, which we must now face up to without further delay" [*ibid.*].

224. We can no longer afford to listen to Aesopian fables of alleged progress in implementation of United Nations decisions being made through efforts undertaken outside the United Nations framework.

225. Bangladesh believes that the independence of Namibia can and must be achieved in accordance with the principles embodied in United Nations resolutions, particularly Council resolutions 385 (1976) and 435 (1978). We are convinced that those resolutions constitute the only viable basis for the peaceful transition of the Territory from colonial subjugation to independence. We cannot, therefore, accept any formula outside the framework of the United Nations, and we wish to reiterate that the United Nations resolutions, particularly the Council resolutions, must be implemented in full without any modification whatsoever. We reject all attempts to link the independence of Namibia to extraneous issues. This is so fundamental a right that it cannot be predicated upon any other issue whatsoever.

226. In his statement to the Seventh Conference of Heads of State or Government of Non-Aligned Countries, the Head of the Bangladesh Government, Lieutenant-General H. M. Ershad, stated:

> "The persistent presence of colonialism and racism in southern Africa is an outrage to humanity. It continues to pose a dangerous threat to peace and security in the region. Bangladesh is irrevocably committed to the cause of the oppressed people of Namibia and South Africa. We pledge our unstinted support in their legitimate struggle for freedom, liberty and human dignity. We are fully convinced that their efforts will ultimately triumph."

227. We cannot let cruelty and injustice go unchallenged. We cannot turn a blind eye to the endless ordeals of the Namibians. The cause of peace is certainly not served by the indefensible and mounting crimes of Pretoria, the latest example of which is the South African air attack on the Mozambican capital. South Africa's usual objective in such heinous actions appears to have been achieved because reports published in *The New York Times* say that two women, a child and a factory worker were killed by aerial rockets and machine-gun fire.

228. The policies of the South African Government pose a grave challenge not only to the peace and security of Namibia but to the region, the continent and the world at large. It is equally an affront to the international community that the majority of the people of Namibia continue to suffer domination, racial discrimination and repression. The litany of South African crimes is long and unending. That a reign of terror exists has been confirmed time and again by several fact-finding missions. One such report, entitled *Namibia—A Nation Wronged*, published in February 1982 by representatives of the British Council of Churches who had visited the Territory in November 1981, confirmed that South African forces stationed in northern Namibia were terrorizing the local population. The report, *inter alia*, referred to a practice commonly resorted to by the South African security forces: tying the bodies of the alleged terrorists they had killed behind their vehicles and dragging them through the villages. The bodies are exhibited to the parents of the dead, to villagers and even to young children in schools. The organizers of such gruesome spectacles, however, get away scot-free since, under the law, civil servants, members of the police and the army are indemnified against any action taken in "good faith" in the operational area.

229. Discriminatory laws and practices also govern education, housing, health, employment and all other aspects of the daily life of the Namibians. According to a 1982 study of the Africa Fund in New York, the life expectancy for Namibian whites is from 68 to 72 years as compared with between 42 to 52 for the blacks. Similarly, the infant

mortality rate is 145 per thousand for the blacks, compared to 21.6 for the whites. It was also said that of 152 doctors in Namibia 80 per cent practised in the urban areas, where the majority of the whites live, compared to the only 20 per cent who practised in the rural areas, where half of the total population lives.

230. At the hearings on Namibian uranium conducted by the United Nations Council for Namibia from 7 to 11 July 1980[3] and published recently, experts from the United States, the United Kingdom and France described the dangerous effects on health and environment of the mining and processing of uranium. Great concern was expressed over the unusually limited and racially discriminatory health care given at the Rössing mine. Enormous piles of ground-up ore, called "tailings", which are dangerously radioactive, are being left unattended. This, the report cautions, could remain a threat to the environment for 100,000 years.

231. In addressing ourselves to the question under consideration my delegation would like to underscore one fundamental premise—that independence in Namibia can and must be achieved in accordance with the principles embodied in the resolutions of the United Nations, particularly resolutions 385 (1976) and 435 (1978). The heart of the Namibian problem is, as we all know, remarkable in its simplicity: a people deprived of its right to national independence and self-determination, a Territory occupied by brutal military force. Far from abiding by international opinion as expressed in numerous United Nations resolutions, South Africa has progressively undertaken steps designed to destroy the territorial integrity of Namibia. It has occupied Walvis Bay, which is an integral part of Namibia. The logical extension of this policy has been the systematic fragmentation of the Territory along ethnic and racial lines exemplified by the system of bantustanization. The holding of mock elections leading to the formation of a so-called National Assembly has been declared null and void by the Council [*resolution 439 (1978)*]. The racist régime has massively deployed its armed forces to police the Territory and rule the people through terror and repression. These troops not only are attempting to suppress the struggle for liberation but have also extended their acts of aggression into the neighbouring countries, thereby threatening international peace and security.

232. Bangladesh is proud of its association with Namibia. We deeply value the trust and confidence reposed in us in assisting and facilitating the work of the United Nations Special Representative in the context of UNTAG. As a member of the United Nations Council for Namibia, Bangladesh has concerted its actions with like-minded countries to promote the cause of Namibia, particularly in connection with the exploration and exploitation of its natural resources, both onshore and offshore. Within our modest means, we have contributed to the United Nations Fund for Namibia, as well as offered training facilities in Bangladesh to students from Namibia.

233. In the face of unbelievable intransigence and unprovoked aggression, our African brothers have shown commendable restraint and statesmanship. We salute the leadership of SWAPO—the sole authentic and legitimate representative of the Namibian people—for its readiness to sign a cease-fire agreement and for accepting a target date for the arrival of UNTAG, which would set in motion the electoral process under United Nations supervision. Further evidence of the readiness of SWAPO to co-operate in all serious efforts to achieve a negotiated settlement has been provided by its President, Sam Nujoma, during the present session. We welcome his far-sighted acceptance of the need to protect the white minority and its property in an independent Namibia and his agreement to consider the proposal containing principles for the Constituent Assembly and the Constitution of an independent Namibia. We should like to congratulate the leaders of the front-line States—Angola, Botswana, Mozambique, Nigeria, the United Republic of Tanzania, Zambia and Zimbabwe—on the courage and fortitude they have shown and the invaluable support they have extended to the cause of Namibia. In this hour of trial, we renew our pledge to stand by them.

234. The international community can no longer remain indifferent to all the inhuman crimes being perpetrated by the Government of South Africa. Nor can we remain mute spectators of the endless travail and trauma suffered by the Namibian people. In the name of that same people, whose rights have been trodden under foot and whose land has been laid waste, the perpetrators and usurpers must be called to account by the international community. We should like to reiterate once again that Council resolutions 385 (1976) and 435 (1978) constitute the only viable basis for a peaceful transition of the Territory from colonial subjugation to independence. We seek nothing more than the complete, unconditional and expeditious implementation of these two resolutions.

235. We are sitting atop a rumbling volcano of resentment, frustration and anger that is reaching boiling point—not only in Africa, but around the world, wherever freedom is considered a non-negotiable and inviolable objective. The failure of the United Nations in the past to act firmly and decisively has only encouraged the racist Pretoria régime to intensify its aggression and barbarity. In the present circumstances, it is imperative that this body proceed urgently, with all the authority at its command and all the resources at its disposal, to secure the speedy implementation of its own resolutions.

236. My delegation sincerely hopes and believes that the Council will take effective and concrete measures to bring about the dawn of Namibian independence as envisaged in the United Nations plan approved in Council resolution 435 (1978), which must remain the only basis, without the introduction of extraneous and irrelevant issues, for the final and lasting settlement of the Namibian problem.

The meeting rose at 7.05 p.m.

NOTES

[1] See *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris 25-29 April 1983* (A/CONF.120/13), part three.

[2] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1976), Advisory Opinion, I.C.J. Reports, 1971*, p. 16.

[3] *Plunder of Namibian Uranium: Major Findings of the Hearings on Namibian Uranium held by the United Nations Council for Namibia in July 1980*, DP/715 (United Nations, New York, 1981).

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UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2444th MEETING: 26 MAY 1983

NEW YORK

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2444th MEETING

Held in New York on Thursday, 26 May 1983, at 10.30 a.m.

President: Mr. M. KAMANDA wa KAMANDA (Zaire).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2444)

1. Adoption of the agenda

2. The situation in Namibia:
   Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
   Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:
Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the representative of Mauritius to take a place at the Council table.

At the invitation of the President, Mr. Maudave (Mauritius) took a place at the Council table.

2. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the President of the United Nations Council for Namibia and the other members of the delegation to take places at the Security Council table.

At the invitation of the President, Mr. Lusaka (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table.

3. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite Mr. Nujoma, President of the South West Africa People's Organization (SWAPO), to take a place at the Council table.

At the invitation of the President, Mr. Nujoma took a place at the Council table.

4. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at previous meetings on this item [*2439th to 2443rd meetings*], I invite the representatives of Afghanistan, Algeria, Angola, Australia, Bangladesh, Barbados, Benin, Botswana, Bulgaria, Canada, Chile, Cuba, Cyprus, Democratic Yemen, Egypt, Ethiopia, Gabon, the Gambia, the Federal Republic of Germany, Guinea, India, Indonesia, Jamaica, Japan, Kenya, Kuwait, Liberia, the Libyan Arab Jamahiriya, Mali, Mexico, Mongolia, Morocco, Mozambique, the Niger, Nigeria, Panama, Qatar, Romania, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey, Uganda, the United Republic of Tanzania, the Upper Volta, Venezuela, Viet Nam, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Zarif (Afghanistan), Mr. Hadj Azzout (Algeria), Mr. de Figueiredo (Angola), Mr. Joseph (Australia), Mr. Hashim (Bangladesh), Mr. Moseley (Barbados), Mr. Adjibade (Benin), Mr. Legwaila (Botswana), Mr. Tsvetkov (Bulgaria), Mr. Pelletier (Canada), Mr. Trucco (Chile), Mr. Malmierca (Cuba), Mr. Moushoutas (Cyprus), Mr. Al-Ashtal (Democratic Yemen), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Davin (Gabon), Mr. Blain (Gambia), Mr. van Well (Federal Republic of Germany), Mr. Kaba (Guinea), Mr. Rao (India), Mr. Kusumaatmadja (Indonesia), Mr. Shearer (Jamaica), Mr. Kuroda (Japan), Mr. Wabuge (Kenya), Mr. Abulhassan (Kuwait), Mrs. Jones (Liberia), Mr. Burwin (Libyan Arab Jamahiriya), Mr. Traore (Mali), Mr. Marin Bosch (Mexico), Mr. Erdenechuluun (Mongolia), Mr. Mrani Zentar (Morocco), Mr. Chissano (Mozambique), Mr. Oumarou (Niger), Mr. Fafowora (Nigeria), Mr. Cabrera (Panama), Mr. Jamal (Qatar), Mr. Marinescu (Romania), Mr. Niasse (Senegal), Ms. Gonthier (Seychelles), Mr. Stevens (Sierra Leone), Mr. Adan (Somalia), Mr. von Schirnding (South

Africa), Mr. Fonseka (Sri Lanka), Mr. El-Fattal (Syrian Arab Republic), Mr. Slim (Tunisia), Mr. Kirca (Turkey), Mr. Owiny (Uganda), Mr. Rupia (United Republic of Tanzania), Mr. Bassole (Upper Volta), Mr. Martini Urdaneta (Venezuela), Mr. Le Kim Chung (Viet Nam), Mr. Mojsov (Yugoslavia) and Mr. Goma (Zambia) took the places reserved for them at the side of the Council chamber.

5. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received letters from the representatives of Argentina, the German Democratic Republic and Hungary in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Muñiz (Argentina), Mr. Ott (German Democratic Republic) and Mr. Rácz (Hungary) took places at the side of the Council chamber.

6. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/15791, containing a note by the President of the Security Council, dated 25 May 1983, and the text of a statement by the representative of Seychelles.

7. The first speaker is Mr. Augustine Stevens, Minister of State for Foreign Affairs of the Republic of Sierra Leone, whom I welcome. I invite him to take a place at the Council table and to make his statement.

8. Mr. STEVENS (Sierra Leone): On behalf of the Government of the Republic of Sierra Leone, and on my own behalf, Sir, I wish to congratulate you on your assumption of the presidency of the Council for the month of May and to thank the Council, through you, for acceding to our request and granting us the opportunity to participate in this important debate on Namibia. Our thanks are also due to the Secretary-General for his very concise and objective report on this item [*S/15776*].

9. To you, Mr. President, I must say that my delegation has been highly impressed by the manner in which you have conducted these Council meetings. It is indeed a happy and gratifying coincidence that a distinguished son of Africa, in the person of yourself, should be presiding over this debate on Namibia, a problem which our two sister countries view with great concern.

10. Our congratulations are also due to those delegations that have addressed the Council before me for their constructive contributions to the debate. We have in mind here, among others, Mr. Lusaka, President of the United Nations Council for Namibia, Mr. Rao of India, speaking on behalf of the Chairman of the Non-Aligned Movement, and Mr. Maudave in his capacity as Chairman of the Group of African States.

11. We offer a special tribute to the suffering people of Namibia and reiterate unreservedly our solidarity with SWAPO.

12. As a prelude to my delegation's contribution to yet another Council debate on the protracted issue of Namibia, we offer the following remarks made here on 23 May by the representative of the United Kingdom:

> "At the time of independence, Namibia will face a difficult economic transition. . . . We have long experience and useful technical skills, developed through economic co-operation with many other countries, which, we believe, could help to promote Namibia's longer-term economic and social development." [*2439th meeting, para 61.*]

13. When these remarks were made I suspect that they were first greeted with retorts to the effect that independence should be granted first and the question of economic and social development would follow.

14. My Government, while cognisant of the primacy of independence for Namibia in these debates, wishes to take as a point of departure the issue of economic and social development, if only to provide another perspective and a pointer to the graveness of the question before us.

15. "South West Africa", as it was called in 1945 and before, when the issue was first touched on by the United Nations, is a problem which is as old as the United Nations itself. The generation of South West Africans born in 1945, who reached 21 years of age in 1966, had hopes, I want to believe, in 1966, more than ever before, that their life-chances would take a dramatic turn for the better with the adoption of General Assembly resolution 2145 (XXI) of 27 October 1966. As we all know only too well, resolution 2145 (XXI) terminated South Africa's Mandate to administer the Territory of South West Africa.

16. What happened to the hopes of the 1945 generation of Namibians? What is the life-chance or the quality of life, the economic and social situation, of that generation compared—if comparison can be made—with their peers in sister African countries that attained independence in 1966?

17. We need not guess, nor search for, answers to these questions; scars on the faces of untold numbers of Namibians at home, and abroad as refugees, who have survived and continue to be the target of South Africa's race-motivated repressive actions, South Africa's actions in contravention of internationally accepted conventions on human rights and its policy and practice of *apartheid* are vivid expressions of the objective reality facing the 1945 generation of Namibians.

18. And what do we offer as potentials and guarantees for the economic and social development of the generation of Namibians born in 1966, at the time when the

General Assembly terminated South Africa's Mandate? At the prime age of 17—1966 to 1983—this generation at home and abroad sits listening to and awaiting the outcome of these debates. What chances are there that this solemn session of the Council will provide anything other than what this generation might call "the usual"?

19. It is, indeed, a telling comment on this our United Nations—and, yea, on the Council—that any segment of the world, any nationality and any age group should find reason for despair and be led to conclude that, collectively, we cannot be a source of hope and strength and stand resolutely in support of the quest for justice, freedom and equality.

20. At 38 years of age or older, at 17 or younger, Namibians deserve now, more than ever, the fullest assurances that we in the United Nations will live up to the terms of our solemn obligation under Article I, paragraph 1, of the Charter of the United Nations:

> "To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace."

21. With regard to Namibia, living up to the terms of our obligations under the Charter requires that we keep in focus the intransigence of the racist régime of South Africa and its avowed commitment to holding the rest of us to ransom. Records of the Organization are replete with examples of South Africa's prevarication and contempt for all that the United Nations and, indeed, the Council have attempted in the quest to put an end to South Africa's acts of aggression against the defenceless people of Namibia and neighbouring African States, particularly the front-line States, to maintain peace in that region.

22. But even as we focus on the racist régime of South Africa, its allies, some of whom are on record as having the best intentions for Namibia, should not escape our attention, as they give us reason to suspect that they, too, could be partners in crime against humanity and particularly the long-persecuted and oppressed people of Namibia.

23. This admonition is offered against the background information contained in the recently distributed report of the United Nations Council for Namibia[1] with particular reference to part five, paragraphs 971 to 1153, concerning contacts between Member States and South Africa since the adoption of General Assembly resolutions ES-8/2 and 36/121 B of 14 September and 10 December 1981. Paragraphs 48 to 112 of the report contain indications of the extent to which some Member States have been engaged in direct or indirect economic and trade relations with South Africa, in spite of various Assembly resolutions which culminated in the call for Member States to refrain from diplomatic, consular and other contacts with South Africa.

24. The report of the International Conference in Support of the Struggle of the Namibian People for Independence, which was convened in Paris from 25 to 29 April 1983,[2] provides a startling account of how entrenched in their support of South Africa some Member States are. The areas of co-operation between South Africa and these Member States include technical and material resources supply for the development and acquisition of nuclear capability by South Africa; military security and defence pacts in breach of the arms embargo imposed by the Council; economic and trade agreements which not only have an economic destabilization effect on Namibia, but also rob it of its natural resources, particularly the country's uranium supply and marine life.

25. With such a range of support coming from quarters that are sympathetic to the cause of Namibia, it should be no wonder then that South Africa has remained intransigent. Herein lies the challenge to this body.

26. In all of these developments, however, we are impressed with the moral commitment of a host of our numbers to seeing Namibia assume its rightful place in our world as an independent State, and exercise its inalienable rights which are part and parcel of this status.

27. In this regard, my delegation takes note of, and remains impressed with, the untiring efforts of the five Western members of the Council, the front-line States and Nigeria, which have narrowed the scope of the issue, leaving us with the task of defining the constitutional framework to serve as guide for an independent Namibia and, indeed, the electoral process that would bring about the country's independence peacefully.

28. The efforts of the United Nations Council for Namibia, and especially its President, and those of the Secretary-General in touring and consulting with leaders in the region of southern Africa, as well as his unequivocal stand and the challenge he has lodged on the doorstep of the Council, are worthy of our commendation.

29. We have come close to a solution if indeed we agree that what remains is a definition of a constitutional framework and an electoral process. We can ill afford any attempts to steer us away from this course.

30. My delegation wishes at this point to reiterate that it stands firm behind Council resolution 435 (1978), as the only legitimate basis for negotiating Namibia's independence. In this regard, we avail ourselves of this opportunity to reaffirm our conviction that the people of Namibia are entitled to the exercise of their inalienable right to independence and self-determination in a united Namibia, including Walvis Bay, Penguin Island and other islands within its territorial boundaries; that the United Nations has direct responsibility, through the United Nations Council for Namibia, for the administra-

tion of Namibia until such time as the country attains independence; and that we regard SWAPO as the sole and authentic representative of the people of Namibia.

31. Extraneous issues now advocated in some quarters as pre-conditions for Namibia's independence, such as the withdrawal of Cuban troops from Angola, casting Namibia's independence in cold-war terms, do not impress my delegation in the least to warrant a change in our position. We believe that independence for Namibia should continue to be viewed primarily as a decolonization issue and thus should be debated strictly in this context.

32. Angola is a sovereign State. The Council has not found its bilateral relations with Cuba a threat to international peace and security, which would make its relations with Cuba a violation of the Charter of the United Nations. It is thus not within our jurisdiction, we believe, to question or take issue with Angola's relations with Cuba, which would be tantamount to questioning the sovereignty of Angola and interfering in its internal affairs.

33. The glaring fact is that the conditionality of withdrawing Cuban troops from Angola is a pretext behind which the racist and oppressive régime of Pretoria wishes to conceal its illegal occupation of Namibia, using that country as a military base for the acts of aggression it has continued to wage on the front-line States.

34. The events in southern Africa which took place on the eve of the commencement of these debates are another manifestation of the graveness of the policy and practice of *apartheid*. It is regrettable that lives and property continue to be lost and endangered with the persistence of this problem.

35. In conclusion, we urge that a call be made for the immediate implementation of resolution 435 (1978) which, in essence, has brought us to now resolving the issue of the constitutional framework and electoral process in Namibia. It is equally important that concern be given to creating an atmosphere in Namibia that would facilitate free and fair elections.

36. To this end, we must ensure an effective voter education and registration programme; free assembly that would permit SWAPO and any other political parties to participate in an electoral process without intimidation or threat to their lives and property; the de-South-Africanization of Namibia, that is, the removal of all *apartheid* tendencies in that Territory; and increased responsibilities for the United Nations Council for Namibia in the electoral process.

37. We further appeal to the international community and particularly to the allies of South Africa, through your good offices, Mr. President, and those of the Secretary-General, for support of the type that would ensure an atmosphere conducive to free and fair elections in Namibia.

38. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Alberto Picho Owiny, the Minister of State for Foreign Affairs of Uganda. I welcome him and invite him to take a place at the Council table and to make his statement.

39. Mr. OWINY (Uganda): Mr. President, I express my gratitude to you and the members of the Council for giving me an opportunity to participate in this debate.

40. It is a pleasure for my delegation to see you, Sir, the Minister for Foreign Affairs of Zaire, a neighbouring country with which Uganda enjoys warm relations, presiding over the Council's work. We are confident that, given your wide experience in international affairs, you will guide the work of the Council with great success.

41. I address the Council as the representative of one of the countries that was mandated by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, meeting at New Delhi from 7 to 12 March 1983, to participate in the present deliberations of the Council on the question of Namibia. In calling for this meeting, and mandating 31 Ministers for Foreign Affairs to participate in and follow closely the Council deliberations, the Non-Aligned Movement has once again underscored the importance it attaches to the decolonization question of Namibia. This demonstrates its commitment to the struggle of the Namibian people and confidence in the ability of the Organization to design effective means for the implementation of the United Nations plan endorsed in Council resolution 435 (1978).

42. About five years ago, the hopes of the international community were raised when, on the initiative of the five Western countries with close political, economic and military relations with South Africa, the Council adopted resolution 435 (1978) as a basis for Namibia's independence. We were promised then that Namibia would achieve freedom within a year. Members of the Western contact group of five undertook to ensure South Africa's compliance with resolution 435 (1978) and the United Nations plan.

43. The last five years have been a frustrating experience for all who desire to see Namibia independent. Expectations have been raised only to be replaced by despair. Rather than seeing progress towards the goal of independence, we have been witnessing South Africa's use of one pretext after another to derail the United Nations plan.

44. Despite South Africa's prevarications Africa did not lose patience; it continued, through the front-line States and Nigeria, to negotiate with the contact group in good faith. The front-line States and Nigeria conducted intensive consultations with the contact group to remove all obstacles hampering the implementation of resolution 435 (1978). As the latest report of the Secretary-General [*S/15776*] indicates, progress was made towards solving the new issues which South Africa had raised. Agreement was reached on principles concerning the Constituent Assembly and the Constitution of an independent Na-

mibia. Substantial progress was made on other outstanding matters, including the composition and deployment of the United Nations Transition Assistance Group (UNTAG). Indeed, so high were the hopes of implementing the United Nations plan that arrangements were set in motion to recruit staff for UNTAG. The only outstanding issue which remained was the electoral system. The international community thus eagerly expected the Council to meet and adopt the enabling resolution.

45. It is well known that the only matter which is holding up Namibia's independence is the injection into the negotiations of the so-called linkage between the withdrawal of Cuban troops from Angola and Namibia's independence by a member of the contact group, namely, the United States.

46. As I stated during the thirty-seventh session of the General Assembly,[3] Uganda sees no justification for any linkage between Namibian independence and the presence of Cuban military personnel in Angola. The former is a clear-cut colonial issue, and has been treated as such by the United Nations and by the entire international community. The latter, on the other hand, is a bilateral arrangement, which is by no means unique, between two independent, sovereign States. It is an historical fact that the presence of Cuban military personnel in Angola was occasioned in the first place by South African aggression against Angola, which continues to this day in the southern region of Angola.

47. We note with satisfaction, however, that a member of the Western contact group, namely, France, has publicly dissociated itself from the linkage. We call upon the others to follow that example.

48. As a result of the linkage and the attendant intransigence of South Africa, the process of negotiation on independence has been paralysed. The international community has felt indignant and has expressed its concern at the lack of progress. The Conference of Heads of State or Government of Non-Aligned Countries, and the International Conference in Support of the Struggle of the Namibian People for Independence underscored the fact that Namibia remains the responsibility of the United Nations alone. The Secretary-General, in his lucid report, has stated that he regards the problem of Namibia as his special responsibility in view of the unique relationship between the United Nations and the people of Namibia. He has also expressed his concern at the delay in implementing the Council resolution. The international community thus considers it appropriate that the Council should once again examine the problem. Both the declaration issued at New Delhi by the Seventh Conference of Heads of State or Government of Non-Aligned Countries [*S/15675 and Corr. 1 and 2, annex*, sect. I, para. 49] and the Paris Declaration on Namibia[4] issued by the International Conference in Support of the Struggle of the Namibian People for Independence, call for a meeting of the Council so that it can reassert itself and shoulder its responsibilities concerning the implementation of resolution 435 (1978).

49. As I stated earlier, it is about five years since the adoption of resolution 435 (1978), which we were assured would be implemented within one year. Yet to this day South Africa continues to defy the Council. The time has now come for the Council to shoulder the responsibilities assigned to it by the Charter and implement its own decisions on this matter. Failure to act will only undermine the authority and confidence reposed in the Council.

50. the situation in Namibia and southern Africa arising from the illegal occupation of the Territory is grave. At the 2439th meeting, the President of SWAPO, Mr. Sam Nujoma, gave us a vivid account of the untold suffering that Namibians, both within and outside the Territory, continue to endure at the hands of South Africa. Apart from being denied the fundamental right to self-determination, the people of Namibia are prevented from enjoying all elementary human rights, forced to join the South West African Force, tortured and maimed. The economic resources of the country are being plundered, contrary to Decree No. 1 for the Protection of the Natural Resources of Namibia.[5] South Africa utilizes Namibia as a base for committing acts of aggression and destabilization against the front-line States. To this day, South African troops continue to occupy the southern part of Angola.

51. Only last Monday, Pretoria mounted an air raid against Mozambique, at the very time when the Council was commencing consideration of the Namibian problem. That is the latest in a series of raids and subversive activities which South Africa has carried out against Angola, Botswana, Seychelles, Mozambique, Lesotho, Zimbabwe, Zambia and other African States.

52. Uganda condemns in the strongest terms those aggressive acts. In this regard, the President of the Republic of Uganda, Mr. A. Milton Obote, made a statement yesterday on the occasion of the twentieth anniversary of the Organization of African Unity (OAU), in which he declared, *inter alia*:

> "While we celebrate this historic day, we are at the same time reminded of the fact that the racist, criminal South African *apartheid* régime continues to occupy the territory of an OAU member State, namely, the People's Republic of Angola, and to carry out acts of subversion and aggression against the African front-line States. We condemn unreservedly and in the strongest terms the South African *apartheid* régime's violation of the sovereignty of the People's Republic of Mozambique. We also demand that the South African régime immediately remove its forces from Angolan soil. The cowardly raid carried out by the heinous South African régime in Maputo only serves to strengthen our determination to eradicate the evil and inhuman system of *apartheid* from our continent."

53. As I had occasion to warn the Council in April 1981 [*2276th meeting*], the illegal occupation of Namibia is not a case of an ordinary illegality. It constitutes a breach of the peace, has given rise to continuous aggression and

clearly constitutes a danger to international peace and security. It falls squarely within the purview of Article 39 of the Charter of the United Nations.

54. The Council has a solemn responsibility towards the people of Namibia. It is therefore incumbent on it to bring a rapid end to this illegality. The purpose of this series of meetings is to examine ways and means of implementing resolution 435 (1978). My delegation believes that, in order to expedite this process, it would be useful for the Council to stipulate a definite time-frame for the implementation of resolution 435 (1978). The hand of the Secretary-General should be strengthened and the central role of the United Nations in bringing about the independence of Namibia should be reaffirmed. In our view, the Council should keep the situation under constant review until the process is completed. In the event that South Africa continues to defy the decisions of the Council, the Council should consider imposing the appropriate punitive measures under Chapter VII of the Charter.

55. It will be recalled that, under resolution 439 (1978), the Council warned South Africa that, if it did not cooperate with the Secretary-General in the implementation of resolutions 385 (1976), 431 (1978) and 435 (1978), the Council would meet forthwith to initiate appropriate actions under the Charter including measures contemplated under Chapter VII, so as to ensure South Africa's compliance with those resolutions.

56. The OAU and SWAPO have declared that they are ready to proceed with the immediate implementation of the United Nations plan for Namibia. Thus the front-line States and Nigeria have fulfilled their obligations in this undertaking. Unfortunately, the Western contact group has as yet to fulfil its part in this arrangement.

57. It is high time the Council reasserted itself in the fulfilment of its responsibilities. Uganda maintains that resolution 435 (1978) remains the only basis for a peaceful settlement of the Namibian question. There can be no satisfactory solution outside the framework of resolutions 385 (1976) and 435 (1978).

58. We in Uganda have always maintained that any discussion of a settlement of the Namibian question must be based on certain fundamental principles. These principles are: first, that the people of Namibia have an inalienable right to self-determination, freedom and national independence in a united Namibia which includes Walvis Bay, Penguin Island and other offshore islands; secondly, that Namibia is a special responsibility of the United Nations; thirdly, that the occupation by South Africa and its fraudulent constitutional schemes for the so-called internal settlement are illegal and must be condemned; fourthly, that the exploitation of Namibia's resources by both South African and other foreign interests, while the illegal occupation continues, are illegal and constitute a violation of the Charter; and fifthly, that the people of Namibia, in the face of the occupier's intransigence, have a right to wage through SWAPO, their sole and authentic representative, a liberation struggle by all means, including armed struggle.

59. I wish to express our appreciation to the Secretary-General and his Special Representative, Mr. Ahtisaari, for their efforts in trying to achieve independence for Namibia and to defuse the explosive situation which the illegal occupation gives rise to. We agree with the views he expressed in his report where he stated:

> "I believe that the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region. For this reason, I urge that the Namibia problem be regarded as a primary question in its own right, the solution of which will in itself ease other tensions in the region and be in the long-term interest of all concerned. . . . I must repeat that I regard the independence of Namibia as the essential and primary issue, which we must now face up to without further delay." [*S/15776, para. 20.*]

60. I wish also to extend a well-deserved tribute to Mr. Paul Lusaka, President of the United Nations Council for Namibia, and his colleagues in the Council for the valuable work they have done in preparing Namibia for nationhood.

61. In conclusion, I wish to commend the front-line States for the steadfast support they have given to the liberation struggle in southern Africa in spite of the heavy odds they face. I also take this opportunity to reaffirm the solidarity and support of the Government and people of Uganda with the people of Namibia in their just struggle for independence under the leadership of SWAPO, their sole and authentic representative.

62. The PRESIDENT (*interpretation from French*): Before I call on the next speaker, I should like to welcome to the Council table Mr. Witness Mangwende, Minister for Foreign Affairs of Zimbabwe. I warmly welcome him on behalf of the Council.

63. The next speaker is the representative of the Federal Republic of Germany. I invite him to take a place at the Council table and to make his statement.

64. Mr. van WELL (Federal Republic of Germany): Mr. President, thank you for permitting my delegation to participate in this debate on Namibia. I am convinced that under your able guidance, which we have been able to witness on many previous occasions, this debate will fulfil its purpose of doing everything possible to bring to the long-tested people of Namibia their dearly-sought independence at the earliest possible time.

65. My country, as is well known, has historic ties with Namibia and therefore has taken a particular interest in the efforts of the United Nations to bring independence to this last Territory in Africa, which, in our view, has for far too long been waiting for the chance to take its fate into its own hands. The other overriding reason for my Government's long-standing commitment to and support

for Namibian independence is our concern for peace and stability in southern Africa.

66. It was with dismay and deep concern that my Government learned of the latest escalation of violence in South Africa and Mozambique, which has once more claimed many human lives. The Federal Minister for Foreign Affairs, Mr. Genscher, has just stated:

> "It is our declared policy to reject every instance of the use of force in the pursuit of political goals, no matter who resorts to such action. In our view, the change urgently needed in South Africa should be brought about by political consensus. We condemn any breach of international law inherent in abuse of the sovereignty and territorial integrity of neighbouring States. This practice of violating national boundaries must be stopped immediately, since incursions of this nature dangerously aggravate tensions in southern Africa and could become a serious threat to peace."

67. When my country first was elected to the Security Council in 1977, after having joined the United Nations in 1973, we considered it our duty to join with four other Western members of the Council in order to help actively in bringing about a negotiated settlement for the question of Namibia. It was possible to define, within one year's time, a settlement plan which has been accepted by all parties concerned, first of all by the Namibians themselves but also by the administering Power, South Africa, and, not the least, by the international community as the only way to the independence of Namibia. The plan which the contact group worked out, in close co-operation with all parties concerned, has been endorsed by resolution 435 (1978), which, to this day, is the only basis for the coming independence of Namibia. I should like to point out specifically that, without the co-operation of the front-line States, that is, Angola, Botswana, Mozambique, the United Republic of Tanzania and Zambia, later joined by Zimbabwe, and supported by Nigeria, the result would not have been possible. Their sense of the possible and feasible has been an important asset in this negotiation process.

68. My Government shares the deep regret and great concern that, in spite of the general acceptance of resolution 435 (1978), Namibia still has not gained independence. Almost five years have elapsed since the adoption of resolution 435 (1978), during which untold efforts were undertaken to bring this resolution to implementation. The history of these efforts is well known and has been reflected by numerous speakers before me. I shall not endeavour to recount them all. Suffice it to say that the main reason for the lack of implementation of resolution 435 (1978) is the absence of political resolve on the part of the main party to the conflict to live up to the obligations undertaken by accepting this resolution.

69. Accordingly, the main task before us in the ongoing negotiations, as well as here in the present Council debate, is to bring about the necessary conditions for implementation of resolution 435 (1978).

70. In the view of my delegation, the present debate can play an important part in improving conditions conducive to implementation. The fact of this debate itself; furthermore, the presence of a large number of Ministers for Foreign Affairs from front-line and other African States, as well as non-aligned countries, and the large number of speakers in the debate all bear testimony to the high importance attributed by the whole international community to the Namibian question. By this demonstration, important general awareness is still further heightened that the Namibian problem can no longer remain unsolved.

71. The comprehensive and objective report submitted by the Secretary-General [*S/15776*] has been welcomed by my Government, as it expresses in a very commendable way the concerns of the international community over the delays retarding the independence of Namibia, and the Secretary-General rightly makes himself the spokesman of these concerns.

72. At the same time that these concerns are legitimately voiced, my delegation—basing itself on its experience in these negotiations—has to warn that the necessary climate of confidence must not be destroyed by understandable dismay at the prolonged lack of implementation. To everyone in this Council chamber it is well known that the pre-implementation meeting at Geneva failed in January 1981 because of the prevailing distrust and lack of confidence between the parties concerned, not excluding distrust of the United Nations as a whole.

73. The contact group has undertaken, in the time since that meeting, to strengthen the confidence between the parties concerned in order to establish the basis for implementation.

74. The first step on this way was to bring about a general agreement on the outlines of constitutional principles which will be incorporated into the Constitution of an independent Namibia by its own Constituent Assembly to be elected according to the provisions of resolution 435 (1978). The discussions which the five Western States undertook with SWAPO and the internal parties in Namibia, as well as with South Africa, the front-line States and the United Nations Secretariat showed that, after some initial hesitation, this approach was considered to be helpful. By the spring of 1982, the work on the constitutional principles was almost completed, and following consultations of the contact group with the front-line States, Nigeria and SWAPO in July and August 1982, final agreement was reached on these principles so that they could be transmitted to the Secretary-General of the United Nations and issued as a document [*S/15287*].

75. As work on the constitutional principles drew to an end, the contact group concentrated on other outstanding issues which, likewise, had to be settled in order to generate the confidence necessary for the implementation of resolution 435 (1978). In the New York consultations of July and August 1982, the contact group settled these matters with the front-line States, Nigeria and SWAPO and, in parallel talks in Washington, also with South

Africa. As a result, on 24 September 1982, representatives of the parties involved in these New York consultations met with the Secretary-General and informed him that the questions that had been raised as to the impartiality of the United Nations as an arbiter for implementation and with reference to the composition of UNTAG did not any longer present difficulties with regard to the implementation of resolution 435 (1978).

76. A further result of the consultations in New York last summer was the certainty that a decision concerning the electoral system to be applied—either proportional representation or single-member constituencies—had to be made before the beginning of implementation of resolution 435 (1978).

77. All these efforts of last summer have improved the necessary climate of confidence, and I appeal to everyone committed to the independence of Namibia and all who are involved in these negotiations to do their best not to endanger what has been achieved so far. Although disappointment at the lack of progress may prompt angry reactions in the media, the responsible interlocutors should constantly have in mind the long way already behind us and should not lose patience because the last steps to the finish take more time than expected. Impatience may only lead to more obstacles and prolong the way still to be covered.

78. Patience is required also from the members of the contact group in view of regional security concerns. While my delegation emphasizes that these concerns do not form part of the mission that the contact group undertook in 1977, we are still confronted with the fact that such concerns exist and will have to be taken into account by all who realistically aim at the implementation of resolution 435 (1978). The development of the Namibia negotiations has shown that the presence of foreign troops in the region of southern Africa is a matter causing suspicion and mistrust.

79. My Government, like many others, is dismayed at the slow progress and the many delays which we have witnessed in our common effort to bring independence to Namibia. Nevertheless, we are confident that the Council will act on the basis of its responsibility towards Namibia and with a sense of what is politically feasible, keeping in mind the psychological factors involved so as not to give anybody new pretexts for further delays.

80. I want to conclude my statement with words of appreciation, to the Secretary-General first of all, and to his Special Representative and the Secretariat as a whole, for their impressive work and untiring efforts continually undertaken in a cause to which my Government remains deeply committed. It has been the foresightedness, realism and result-oriented approach of our African negotiating partners that has contributed decisively to our reaching this final stage in our joint diplomatic efforts. We should stay and work together now that we have to induce the confidence and political will necessary to bring about the start of the implementation of resolution 435 (1978). All of us have demonstrated that the principle of the Charter of the United Nations with regard to the peaceful settlement of disputes is not an empty phrase but can become political reality even in difficult circumstances. Our hope is that the Namibian undertaking will eventually, and soon, be crowned by full success. Failure would only satisfy those who do not believe in the peaceful settlement of disputes and reconciliation. The Federal Republic of Germany remains committed to those principles, which it accepted as obligatory when joining the United Nations. We shall therefore do our share as resolutely as in the beginning to ensure final success in the efforts to bring independence to Namibia as soon as possible by internationally recognized free and fair elections on the basis of Council resolution 435 (1978).

81. The Federal Minister for Foreign Affairs, Mr. Genscher, spoke yesterday at a public meeting held in Bonn to celebrate the twentieth anniversary of the founding of the OAU, and made special reference to the question of Namibia. I should like to quote that passage of his speech. He said:

> "The Namibian people must be permitted at last to exercise their right to determine their own political destiny. That is the aim of the Federal Government in its unrelenting efforts to bring about a peace settlement on the basis of Security Council resolution 435 (1978). The swiftest possible implementation of the United Nations plan for a solution in Namibia, as I told the European Parliament on 8 February of this year, remains the priority aim of the Federal Government's policy on Namibia. It is actively pursuing this policy together with its partners in the five-member Western contact group. The European Ten are united in support of this policy."

82. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

83. Mr. MRANI ZENTAR (Morocco) (*interpretation from French*): Allow me first of all to extend to you, Sir, my warm congratulations on your assumption of the presidency of the Security Council and also to express my pleasure at the fact that Zaire's term of office is being enhanced by the fact that you, the Minister for Foreign Affairs of Zaire, have come here to occupy the Chair during the Council's consideration of an item that is of particularly close concern to Africa. In addition, you represent a country with which Morocco maintains exemplary brotherly relations and your long and rich personal experience at the United Nations and in international relations, and the high esteem in which we all hold you, guarantee that the Council's deliberations will respond to the hopes that the valiant people of Namibia and the people of Africa in general have reposed in this series of meetings.

84. I should also like to pay a particular tribute to Mrs. Jeane Kirkpatrick, the representative of the United States, for the competent and elegant manner in which she conducted the particularly delicate discussions last month.

85. I am grateful to you, Sir, and to all the other members of the Council for having allowed me to participate in this meeting, and I should like at this point to express an ardent hope, that of seeing the Council conclude in a positive fashion this debate that we hope will be the last devoted to Namibia under colonial domination.

86. The resumption of the consideration of the question of Namibia by the Council, with the solemnity and prestige conferred upon it by the presence of many Ministers for Foreign Affairs from four continents is a striking illustration of the fact that the patience of the international community is exhausted. Indeed, to this very day, neither the exhortations and condemnations nor the many sanctions that have been adopted on the initiative of the countries members of the Non-Aligned Movement or the OAU have succeeded in prevailing upon the racist régime of South Africa to face realities. The *apartheid* régime arrogantly persists in inflicting on the brother people of Namibia humiliation, every refinement of violence and the heavy weight of oppression. It is also increasing its acts of aggression and political and economic destabilization against neighbouring independent African States.

87. At the very moment the Council was beginning its present debate, the Pretoria régime, far from responding to the expectations of the international community, embarked upon a cynical aggressive operation against the wholly peaceful civilian population of our brother country, Mozambique. This new act of barbarism testifies once again to the total contempt in which the *apartheid* régime holds international decisions, respect for the law, legality and, quite simply, universal morality.

88. Pretoria's zeal in pursuing and extending its policy of social and racial fragmentation, both in South Africa itself and in Namibia, is an affront to the conscience of mankind, and the Namibian people are justified in having recourse to every legitimate means at their disposal to defend their survival, regain their independence and ensure their country's territorial integrity.

89. It is precisely to break this cycle of violence, which is becoming ever more intense, that the United Nations has tackled with so much determination the task of bringing about a peaceful solution to the Namibian problem. In spite of the obstacles which the South African authorities have contrived to create for years now to divert the United Nations from a mission for which it bears full and entire responsibility, and in spite of the obstinacy of the racist régime which continues to refuse to acknowledge the inevitable, the determination of the United Nations should not be allowed to slacken or weaken in any way.

90. However, a great deal of ground has been covered since the annulment of the Mandate given by the League of Nations to South Africa over the Territory of Namibia. Important, if not definitive, milestones have been erected in order to permit a peaceful, gradual and final solution of the problem of the very last bastion of colonialism in the continent of Africa.

91. The action of the United Nations Council for Namibia, presided over by our brother Paul Lusaka, deserves our praise because of the arduousness and complexity of the task entrusted to that body and the work it has done as the legal authority charged with defending the interests of the Namibian people.

92. In adopting resolutions 385 (1976) and 435 (1978), the Council has established a process and adopted a plan designed to lead Namibia to independence. The acceptance of this process by all parties generated a momentum charged with hope and optimism, which augured a rapid, successful and final outcome to the Namibian problem.

93. In particular, the essential role entrusted to the Secretary-General in the implementation of this plan reflected the concern of the Organization to assume by all the most appropriate means its full responsibility in the decolonization of Namibia. As indicated in the further report of the Secretary-General concerning the implementation of Council resolutions 435 (1978) and 439 (1978) concerning the question of Namibia [*S/15776*], tangible progress, if not decisive progress, has been made on many points. That is why we believe that strengthening the role of the Secretary-General cannot but contribute to providing the decisive impetus for the final settlement of the Namibian problem.

94. My delegation would also like to mention, by way of encouragement, the praiseworthy efforts of the members of the contact group, thanks to which, we must acknowledge, certain difficulties have been overcome. But these efforts, which, in our view, should continue, would benefit from being intensified even further, because the blind obstinacy of the *apartheid* régime calls for firm, coordinated and well-focused action, bringing to bear all possible methods of effective pressure, methods that are, for that matter, well known to South Africa's partners themselves.

95. The implementation of the United Nations plan, which should bear in mind the legitimate impatience of the Namibian people and all African peoples, should include a binding time-table for the accession of Namibia to independence. At the same time, provision should be made for deterrent action to be taken *vis-à-vis* South Africa, to prevail upon it to co-operate with greater dedication in the implementation of United Nations decisions. Particularly, stricter and more diligent enforcement of the arms embargo against South Africa decreed by the Council in 1977 [*resolution 418 (1977)*] should form part of the set of urgent measures unanimously called for by the Council.

96. The Council, which bears primary responsibility for the maintenance of international peace and security, must continue to play its essential role by adopting, without further delay, additional concrete measures which are necessary to compel South Africa to embark without prevarication, and without ulterior motives on the process that is currently under way and to bring peace rapidly back to the region by finally doing justice by the martyred Namibian people.

97. In his report concerning the implementation of resolutions 435 (1978) and 439 (1978), the Secretary-General made a lucid and perspicacious analysis of the situation in this part of southern Africa, and drew conclusions which should be supported by the Council. I should like to quote, in particular, the following paragraph:

> "The effects of delay are being felt profoundly not only by the people of Namibia, for whose welfare the United Nations has a special obligation, but also by other States of the region. . . . the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region. For this reason, I urge that the Namibian problem be regarded as a primary question in its own right, the solution of which will in itself ease other tensions in the region and be in the long-term interest of all concerned." [*S/15776, para. 20*].

98. The clarity of this paragraph and the responsible language in which it is couched by the Secretary-General make it unnecessary for many of us to enter into further detail in our comments in the Council.

99. With regard to Morocco itself, Morocco has supported since its earliest days the heroic and valiant struggle of the Namibian people, and it undertakes to continue to do so until the legitimate aspirations of this fraternal people to independence, sovereignty and the territorial integrity of Namibia, including Walvis Bay, have been fully satisfied.

100. At the Seventh Conference of Heads of State or Government of Non-Aligned Countries, at New Delhi, the head of the Moroccan delegation, Prince Sidi Mohammed, representing his father, King Hassan II, declared in his historic statement:

> "Morocco salutes the struggle of the fraternal people of Namibia and reaffirms its unswerving support of the struggle it is waging for its total independence and territorial integrity. It calls upon the international community to act in conformity with the principles of the Charter of the United Nations, to redouble its efforts to thwart the manoeuvres of the racist régime so that a start can be made on the process leading to a final solution of the Namibian problem, in accordance with Security Council resolution 435 (1978)."

101. In conclusion, the Moroccan delegation wishes to state that it endorses the conclusions in the Paris Declaration on Namibia of April 1983, of which the Foreign Minister of Senegal, Mr. Moustapha Niasse, President of the International Conference in Support of the Struggle of the Namibian People for Independence, gave us a faithful and objective picture, and in particular of the following paragraph of the Declaration which I have great pleasure in quoting:

> "The day is not far off when Namibia will be genuinely independent. In the pursuit of their noble cause the people of Namibia do not stand alone but can count on the support of all peoples and Governments that are truly committed to justice in a peaceful world."[4]

102. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Tunisia. I invite him to take a place at the Council table and to make his statement.

103. Mr. SLIM (Tunisia) (*interpretation from French*): First of all, I should like to thank you and the members of the Council for allowing the delegation of Tunisia, among other delegations, to participate in this important debate on the question of Namibia.

104. By a happy coincidence, this meeting is taking place under the presidency of a worthy son of Africa; this is reassuring and comforting to us. We are certain that, thanks to your great experience and qualities, the Council will prove equal to its responsibilities, especially at this difficult time when it is being put to the test. Together with our warm congratulations, we wish to convey to you our fraternal wishes for success.

105. Our congratulations are also addressed to your predecessor, Mrs. Jeane Kirkpatrick, for the manner in which she conducted the proceedings of the Council in the month of April.

106. The Minister for Foreign Affairs of Tunisia was to have been here today to add his voice to those of his colleagues, mandated by the Seventh Conference of Heads of State or Government of Non-Aligned Countries to come here to reaffirm the attachment of their Governments and of the Movement of Non-Aligned Countries as a whole to the maintenance of international peace and security and to strengthening the role of the United Nations and of the Council—mandated, in other words, to come here to make a statement of facts and to formulate a request.

107. The statement of facts, particularly bitter in its implacable reality, is that, despite the commitments which have been made and the assurances which have been given, Namibia is still not independent at this time.

108. The request, based on Article 24 of the Charter of the United Nations and on the primary responsibility for the maintenance of international peace and security, conferred by Member States on this supreme organ of the Organization, is that the Council should respond, this time in a positive manner, to the urgent call of the international community and, in the light of this statement of facts, take the necessary measures to ensure the implementation of its plan for the independence of Namibia.

109. Being prevented by unforeseen commitments from travelling to New York, the Minister for Foreign Affairs of Tunisia expressly asked me to support the joint action undertaken by his African and non-aligned colleagues in the Council and to reaffirm, once again, formally here the

complete and total solidarity of the Government of President Bourguiba with SWAPO in its struggle for the dignity of our Namibian brothers and for the fulfilment of their legitimate aspirations to independence and freedom. We wish to ask the leader of SWAPO, the great freedom fighter, Sam Nujoma, whose presence among us we welcome, to be kind enough to convey that message to his people in Namibia.

110. Our intention in speaking today before the Council is not and could not be to plead the cause of the independence of Namibia. In our view, that stage has definitely passed. Nor is it our intention to give reason for the slightest hope of a spontaneous change of mind on the part of the *apartheid* régime installed in Pretoria, a régime which is based essentially on repression, oppression and aggression and which cannot of its own accord accept the language of negotiation or the concept of democracy or elections.

111. Rather we wish to reflect on the role of the Organization and the manner in which it should discharge its responsibilities, for the Namibian problem is none other than that of the responsibility of the United Nations with regard to a Territory over which it exercises the authority of Administering Authority, with a view to leading it to independence at the earliest possible date.

112. The responsibility of the Organization is indeed at issue: first, at the general level, in view of General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the granting of independence to colonial countries and peoples; and then at a specific level, in view of the implementation of the plan for the settlement of the Namibian question, the United Nations plan as it is called, endorsed in Council resolution 435 (1978). How has the United Nations lived up to that responsibility?

113. For years, it has been given to adopting resolutions and taking certain decisions. Almost 17 years ago, in fact, South Africa's Mandate over Namibia was officially terminated [*General Assembly resolution 2145 (XXI) of 27 October 1966*]; approximately 12 years ago, the International Court of Justice declared illegal the occupation of the Territory of Namibia;[6] over seven years ago, the Security Council declared that it was imperative that free elections be held under United Nations supervision and control in the entire Territory of Namibia, regarded as a single political entity [*resolution 385 (1976)*]. Lastly, five years ago, the plan for the settlement of the Namibian question by peaceful means was endorsed by the Council, in its resolution 435 (1978), and thus by the international community. Nevertheless, we must note that, despite this long record and despite many decisions and resolutions, South Africa still continues today its illegal occupation of Namibia and carries out in that Territory its shameful exploitation of human and natural resources.

114. The impression one gains is that the United Nations has in actual fact been able to take only measures that deal with major principles and theories. Whenever measures have been proposed that could have any definite effect or seemed likely to deprive the Pretoria régime of the means of pursuing its policy or really to lead Namibia to independence, the Organization found itself unable to move forward and in a position where it was impossible to discharge its full responsibilities.

115. This is a matter for concern, because the solution of this problem is in fact in our hands, in the hands of the members of the Council, which has been specifically charged with the defence of the principles contained in the Charter and with ensuring their implementation, in the hands of those who bear a particular responsibility in this matter, ever since 1978, when the Namibian people and the peoples of Africa as a whole were assured that the last bastion of colonialism, in that African land, would come to an end, through the means which were declared to be the most effective, at the end of 1981.

116. To the questions raised and requests made by the international community in April 1981 in the Council [*2267th to 2277th meetings*], the chilling and brutal response given at that time was accompanied, nevertheless, by appeals to patience and new promises. In the early part of 1983, Namibia should have been welcomed into the community of free and independent nations, thus manifesting the effectiveness of the ways and means which had been advocated.

117. However, what is the situation today? Namibia is not independent. The repression of the Namibian people is more intensive than ever. The exploitation of the natural resources belonging to the people of Namibia is being accelerated. The acts of aggression committed one after the other against the countries bordering on Namibia are being carried out increasingly in a planned manner, as if in execution of a policy aimed at intimidating not only those independent and sovereign countries but even the Security Council itself. The last act of aggression against our brothers in Mozambique, committed on the very day we began these deliberations, can have no other interpretation.

118. But South Africa is not content with those practices alone; at the same time it resorts to other means to get more support from its allies and to obtain absolute guarantees of impunity.

119. Thus, a worsening of the world economic crisis or an increase in tension in international relations is used by South Africa and its strategic allies to gain more time and to prolong its illegal occupation of Namibia.

120. Thus, apparently motivated by the desire to counter the effects of the economic crisis, many of the partners of Pretoria seem to brush aside the last traces of a bad conscience and with increasing openness attach importance to their economic and military relations with South Africa, thereby agreeing to strengthen a régime which is branded an outlaw by the universal conscience and under international law.

121. Thus, the resurgence of tension between East and West and the threat of a return to the cold war provide the pretext for trying to establish, after complicated bargaining, an unacceptable link between the legitimate accession of Namibia to independence and the questioning of the no less legitimate right of independent States of the region freely to choose their allies.

122. This is another example of the delaying tactics, by now well-worn—whether in southern Africa or the Middle East—which, under the pretext of whatever strategic interest is at stake, permit the aggressor to enjoy ever more complete impunity and to divert or neutralize any reaction in the West.

123. These are the realities we face today. Serious as they may seem, we do not see any valid reason for continuing to prevent the people of Namibia from exercising their right to self-determination and independence, freedom and justice; we do not see in them any valid reason why the United Nations, which has contributed to defining those principles and making them universal, should be prevented from fulfilling its responsibilities, or why the Security Council should find it impossible to defend those principles and ensure application of them throughout the world.

124. We are concerned lest the course taken by the negotiations of the contact group should lead them in the wrong direction. The explanations which we have heard are not reassuring. The lucid and unequivocal assessment made by the Minister for Foreign Affairs of one of its members, which is also a permanent member of the Council, is enlightening and shattering at the same time.

125. The Council must remind the contact group of the commitment it has undertaken and invite it to abide by it. It must be emphasized that factors which are not relevant to the implementation of resolution 435 (1978) should not hamper the implementation of that resolution, as is stressed in the excellent report of the Secretary-General, to whom I should like to pay a well-deserved tribute for the persistent and praiseworthy efforts which he continues to make in this matter. We reaffirm our confidence in the Secretary-General and his team and express the hope that they will pursue their valuable efforts to a successful conclusion.

126. We wish to reaffirm here that resolution 435 (1978) remains the only basis for a negotiated settlement of the Namibian problem and should be implemented without any further delay, unconditionally and without reservations or changes.

127. This was the promise made to the people of Namibia and the commitment undertaken regarding them. Acceptance of the plan by the legitimate representative of the Namibian people, SWAPO, was at that price and on that condition. Any new attempt at modifying or changing the plan, any further delay in implementing it, would have the legitimate consequence of freeing SWAPO and all Africa from their commitment to the course advocated in the plan, a plan which, we must recall, was originally proposed by the contact group.

128. Tunisia, for its part, will continue to support the Namibian cause in the context of respect for the options and decisions which SWAPO may find it useful to adopt, SWAPO alone being able to determine the course which the Namibian people should follow in its struggle for national liberation.

129. That being the case, my delegation cannot help wondering whether the moment has come to yield to pessimism and to latent feelings of despair or if it is still possible to believe that the road to peace has not been definitively blocked.

130. If the Organization, the only body with legal authority over Namibia until independence, cannot—when its prestige and credibility are seriously threatened—respond to the latest challenges by Pretoria, including those issued two days ago at this very table, no real progress can be made either in southern Africa or elsewhere.

131. If, on the other hand, the Council can succeed in establishing its efforts within the precise framework of the purposes and principles defined long ago by the international community, if it shows that it has decided to take the measures provided for in the Charter, if necessary, to ensure the implementation of its resolutions—if, in a word, certain Member States give evidence of a real political will and a desire to ignore legal niceties, political expediency and commercial or strategic considerations—it will then be possible to talk about success. That success will be that of justice and right; it will be that of the principles in which all of us in the Organization believe; just as it will be that of the United Nations, whose weakness and impotence are so often deplored at the very moment when it is doing everything possible to fulfil its responsibilities and rise to the level of its ambitions.

132. We hope that the Council will be able to meet our questions and our expectations in connection with this debate, the ultimate objective of which is nothing less than to turn the last page of the history of decolonization.

133. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Romania. I invite him to take a place at the Council table and to make his statement.

134. Mr. MARINESCU (Romania) (*interpretation from French*): Mr. President, permit me first of all to thank you and the other members of the Council for affording me the opportunity to participate in this exceptionally important debate.

135. Like other delegations, my delegation is very pleased to see you, the representative of Zaire, a country with which Romania maintains friendly relations based on mutual esteem and respect, assume the presidency of the Council. The fact that the representative of an African country is presiding over the work of the Council at a time when it is once again considering the problem of Namibia only serves to strengthen the feeling of urgency attaching to the solution of this problem.

136. I should also like to say to the Secretary-General how much we appreciate his tireless efforts and to assure him of the support of my country for his actions designed to bring about the solution of the problem of Namibia.

137. It is 17 years—and many speakers have reminded us of this—since the United Nations ended the Mandate of South Africa over Namibia and assumed responsibility for bringing the Territory to independence. Member States and the international community have repeatedly condemned the illegal occupation of Namibia and have unequivocally demanded the withdrawal of the armed forces and the administration of South Africa from the Territory, so that the people of Namibia could exercise freely their right to choose their own course of political, social and economic development.

138. This determination has been clearly reflected and expressed in many resolutions of the General Assembly, as well as in those of the Council, particularly resolutions 385 (1976) and 435 (1978), which lay down the plan for bringing Namibia to independence.

139. The International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris, like the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi, were very important factors in the stepping-up of efforts on the part of all progressive and democratic forces to end the occupation of Namibia, to strengthen support for the struggle of the Namibian people to exercise without delay their right to independence and to a free, independent and united homeland, and to ensure the final elimination of colonialism and imperialist domination in the African continent.

140. The history of negotiations on independence for Namibia is a story of the obstinate refusal of the Pretoria authorities to understand the realities of the world today and the sense of the political transformations which are constantly taking place throughout the world. The cynicism with which South Africa has been defying the most elementary norms of international law is reflected not only in the maintenance of the colonial régime in Namibia and the continuation of the abominable policy of *apartheid* but also in the many acts of aggression committed against African countries.

141. In the last few days, we have seen once again that the colonialist policy of *apartheid* constantly engenders violence and aggression. The extremely serious act of aggression committed against Mozambique is the most notable expression of this policy of violence and aggression in the pursuit of which there is no hesitation to resort to any means available. This particularly grave situation has persisted because the policy of the Pretoria authorities is a permanent source of destabilization in the African continent, a constant threat to the security of African States and to international peace and security.

142. The *de facto* situation created in this part of the world is all the more alarming because it exists at a time when the international situation is deteriorating.

143. Support for the struggle of the Namibian people, led by its legitimate representative, SWAPO, and action designed to compel South Africa to put an end to the illegal occupation of Namibia and its policy of aggression against African States constitute, in the view of the Romania, an integral part of the overall efforts to improve the world political climate, strengthen international peace and security and ensure respect for the right of peoples to free and independent development.

144. The deadlock which has already lasted too long in the efforts to implement the plan so laboriously produced by the United Nations to ensure Namibia's accession to independence, together with the deterioration of the situation in southern Africa as a result of the policy of *apartheid* and the aggressive actions of the racist South African régime, have aroused the profound concern of the international community.

145. At this crucial time for the destiny of the Namibian people, the United Nations must take resolute action. The ability of the Council to act to implement its own decisions is being tested, as is its capacity to intervene promptly and effectively when the independence of peoples and international stability and security are seriously threatened.

146. It is generally acknowledged, and has been reaffirmed throughout this debate, that the basis for a solution to the Namibian problem is resolution 435 (1978), adopted unanimously by the Council. It is significant that everything that depended upon the United Nations concerning the implementation of the resolution has long since been settled. Similarly, as has been demonstrated, SWAPO and the African States involved in the negotiations have adopted a constructive attitude, inspired by the will to find a peaceful solution to the Namibian situation on the basis of the plan endorsed in resolution 435 (1978). However, whenever the process of negotiations for the implementation of this plan seemed to be on the point of succeeding and leading to agreement, South Africa has resorted to delaying tactics, combined with acts of aggression against front-line African countries. Running out of pretexts, South Africa has recently been putting forward another argument, which is as ill-founded as its predecessors, and is simply designed to prolong that country's illegal presence in Namibia by attempting to link the process of the decolonization of the Territory with problems which fall exclusively within the sovereignty of other African countries.

147. These problems, as stated in the report of the Secretary-General "were neither raised nor envisaged at the time when resolution 435 (1978) was adopted or in the subsequent negotiations under United Nations auspices" [*S/15776, para. 19*].

148. The arrogant attitude of South Africa, its constant defiance of the will of the great majority of States, would not have been possible if it had not benefited from the co-operation and support of certain States, particularly in the military and economic fields.

149. Indeed, not only has the embargo on oil and arms deliveries to South Africa not become operative, but the military potential of that country has actually increased, and this has made it possible for it to adopt an even more obstructionist attitude towards the demands of the United Nations.

150. If we accept the United Nations plan, which has been so often solemnly reaffirmed and has never been challenged, we cannot countenance the addition to it of elements designed to modify its content completely and undermine its implementation.

151. Entirely relevant in this context is the appeal of the Secretary-General to all concerned to strengthen and concert their efforts within the framework of the United Nations and to demonstrate the necessary political will to bring about the early independence of Namibia in accordance with the United Nations plan. We whole-heartedly endorse the Secretary-General's assessment to the effect that the independence of Namibia is the essential and primary issue, which must be faced up to without further delay.

152. It is high time for the Council to bring its full authority to bear in order to ensure the implementation of its own resolutions, in particular resolution 435 (1978). The gravity of the situation makes it necessary to give consideration even to the application of sanctions, in accordance with the provisions of the Charter, as has quite rightly been called for by the African countries. We take this opportunity to stress the responsibility of the members of the contact group to ensure the implementation of the United Nations plan on independence for Namibia as a matter of urgency, and without compromising in any way the freedom and sovereignty of the African States.

153. The Romanian people, which throughout its history has waged a struggle marked by many sacrifices for its national and social liberation, from the very beginning gave its wholehearted political, diplomatic, moral and material support to the struggle of the Namibian people, under the leadership of SWAPO, in order to ensure by all possible means, including armed struggle, their inalienable right to a free and dignified life.

154. President Nicolae Ceauşescu has more than once reaffirmed, in his meetings with the leaders of African States and SWAPO, the militant solidarity of Romania with the peoples of southern Africa in their struggle to abolish the policy of *apartheid* and racial discrimination and to put an end to the acts of aggression and subversion of the South African racists against African countries.

155. I take this opportunity to reaffirm that Romania is resolved, in close co-operation with the African countries and all States devoted to the objectives of the Charter of the United Nations, to continue to work at the international level to ensure that the Namibian people will be able to exercise without delay their right to self-determination, so that Namibia can take its proper place among the free nations of the world. We have noted with satisfaction the Secretary-General's determination to continue his efforts to that end.

156. We express the hope that this series of Security Council meetings will produce concrete and effective measures for implementing the independence plan for Namibia; that would bring to a speedy end a process that has been delayed so often and so unjustly—the elimination of one of the last vestiges of colonialism.

157. The PRESIDENT (*interpretation from French*): The last speaker is the representative of Argentina. I invite him to take a place at the Council table and to make his statement.

158. Mr. MUÑIZ (Argentina) (*interpretation from Spanish*): Earlier this month, my delegation had an opportunity to congratulate you, Sir, the representative of a country with which the Argentine Republic has cordial relations, on your assumption of the presidency of the Council for the month of May. We are convinced that with your leadership and well-known experience the Council will be able to do effective work on the question of Namibia. My delegation stands ready to co-operate fully.

159. The Council is once again considering the question of Namibia which is of major importance in the decolonization process and for the consolidation of international peace and security. It is an historical imperative to find a solution in order to ensure the early exercise of the right to self-determination and independence by the people of Namibia and the emergence of that nation as a sovereign State.

160. The presence of colonialism and any other form of foreign domination is for the modern world a real and unwarranted historical anachronism that must be ended quickly so as to have a democratic system of international relations and so that the purposes and principles of the Charter of the United Nations may become a reality.

161. The exercise of the right to self-determination and national independence by the Namibian people is part of that system of justice and democracy which the vast majority of the international community and, in particular, the non-aligned and developing countries have sought to attain since they became independent nations.

162. At the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983, Argentina clearly reiterated its position on this question of decolonization, the solution of which, having been arbitrarily postponed by South Africa, is a serious threat to the peace and security of the entire region of southern Africa.

163. At that time, we said that Namibia's independence should come about on the basis of the following principles and decisions, which have been accepted by a virtually universal consensus of the Organization: first, the

question of Namibia is a decolonization problem and must be resolved in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted on 14 December 1960 in General Assembly resolution 1514 (XV); secondly, Namibia is the direct responsibility of the United Nations and the United Nations Council for Namibia is the legal Administering Authority for the Territory until its independence [General Assembly resolution 2145 (XXI) of 27 October 1966]; thirdly, in accordance with the 1971 advisory opinion of the International Court of Justice,[6] South Africa must immediately terminate its administration of Namibia and thus put an end to its occupation of the Territory; the States Members of the United Nations have a duty to recognize the illegality of the South African presence in Namibia and the invalidity of its acts in the name of or in regard to Namibia, and it is the duty of States not members of the Organization to support the measures adopted by the United Nations in respect of the Territory; fourthly, Council resolutions 385 (1976), 435 (1978) and 439 (1978) constitute the legal framework for a peaceful process leading to the independence of Namibia without delay, modification or qualification; fifthly, there must be full respect for the territorial integrity of Namibia, including Walvis Bay and the offshore islands, in accordance with resolution 432 (1978), unanimously adopted by the Council, and the relevant resolutions of the General Assembly; and, sixthly, there must be strict compliance with the provisions of General Assembly resolution 3295 (XXIX) of 13 December 1974 which endorsed Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia.[5] In this connection, it goes without saying that the arbitrary and continued exploitation of Namibia's resources should be categorically condemned by the Organization, since that is adversely affecting or destroying the material foundations necessary for an independent nation to have sustained economic and social development, free from any kind of external dependence.

164. Those principles and decisions I have listed, which constitute the only legitimate framework accepted by almost all members of the international community for the early independence of Namibia, were expressly reflected in the Paris Declaration on Namibia and the Programme of Action on Namibia[4] adopted by acclamation at the recent Conference. The Secretary-General's important further report concerning the implementation of Council resolution 435 (1978) and 439 (1978) [*S/15776*] is imbued with the same philosophy aimed at speeding up the process of decolonization of the Territory of Namibia, which, historically and despite all hindrances, is inevitable.

165. Today the vast majority of Member States have once again come to the Council to show their respect for international law and their faith that the organs of the United Nations will shoulder their responsibilities so that a final definitive thrust is given to the efforts to make possible the legitimate exercise of the right to self-determination and independence of the Namibian people. The time has come for South Africa, in the same spirit, to cease its acts of intimidation and aggression against neighbouring States, such as the recent attack against Mozambique, eliminate the hateful system of *apartheid* and abandon any attempt to perpetuate its colonial domination through an internal settlement.

166. At the same time, any kind of condition which violates the sovereignty of independent States or which may be alien to the application of Council resolution 435 (1978) must be rejected. In this connection, we reiterate our support for the position taken by the front-line States in issuing the Lusaka communiqué of 4 September 1982 and the Havana communiqué of 20 February 1983.

167. There is no need to emphasize the importance of this series of meetings of the Council for the Namibian people and for SWAPO, its sole legitimate representative. The Conference of Heads of State and Government of Non-Aligned Countries, meeting at New Delhi, appealed to the Council to meet as soon as possible to consider new measures aimed at speeding up the implementation of the plan for Namibia and designated 31 Ministers for Foreign Affairs from Asia, Africa, Latin America and Europe to take part in these meetings [*see S/15675 and Corr. 1 and 2, annex, sect. I, para. 49*]. In so doing it clearly emphasized that the cause of the Namibian nation enjoys respect and practically universal consensus.

168. Consequently, my delegation expresses the hope that the Council will heed the opinion of the vast majority of the international community, as expressed in the Non-Aligned Movement, the General Assembly and other international forums. To that end, it must shoulder its major responsibility for the application of resolution 435 (1978) and the adoption of all the necessary measures, including those provided for in Chapter VII of the Charter of the United Nations, to demonstrate the real and sincere existence of a political will to bring about the independence of Namibia within the shortest possible time.

169. At the same time, my country must emphasize that effective action by the Council would be of considerable help to the very constructive work of the Secretary-General, who stated in his report that the question of Namibia was his special responsibility in view of the unique relationship between the United Nations and the people of Namibia. The efforts which the Secretary-General has already undertaken with such dedication and wisdom deserve the gratitude of all the parties directly concerned and of the entire international community.

170. This cause of justice and dignity must not be subjected to further delay. Argentina attaches special importance to its participation in this debate, to show its present and future support for all measures adopted by the Organization with a view to eliminating every manifestation of colonialism or foreign domination. Such

situations, like the situation in Namibia, shock the conscience of nations that desire peace, justice and development.

The meeting rose at 1.25 p.m.

NOTES

[1] *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 24.*

[2] A/CONF.120/13.

[3] *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings,* 25th meeting.

[4] See *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris 25-29 April 1983* (A/CONF.120/13), part three.

[5] See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24,* Vol. I, annex II.

[6] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I. C. J. Reports 1971,* p. 16.

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UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2445th MEETING: 26 MAY 1983

NEW YORK

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2445th MEETING

Held in New York on Thursday, 26 May 1983, at 3.00 p.m.

President: Mr. UMBA di LUTETE (Zaire).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2445)

1. Adoption of the agenda

2. The situation in the Middle East:
   Report of the Secretary-General on the United Nations Disengagement Observer Force (S/15777)

The meeting was called to order at 3.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East:
Report of the Secretary-General on the United Nations Disengagement Observer Force (S/15777)

1. The PRESIDENT (*interpretation from French*): Members of the Council have before them the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period 19 November 1982 to 20 May 1983. Members of the Council also have before them a draft resolution contained in document S/15793, which has been prepared in the course of the Council's consultations. If I hear no objection, I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

The draft resolution was adopted unanimously (resolution 531 (1983)).

2. The PRESIDENT (*interpretation from French*): In connection with the resolution just adopted on the renewal of the mandate of UNDOF, I have been authorized to make the following complementary statement on behalf of the Security Council:

> "As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force [*S/15777*] states in paragraph 26 that 'despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached'. That statement of the Secretary-General reflects the view of the Security Council."

3. The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 3.45 p.m.

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